

SENATE—Wednesday, October 28, 1981

(Legislative day of Wednesday, October 14, 1981)

The Senate met at 8:45 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

Rabbi Bernard S. Raskas, Temple of Aaron, St. Paul, Minn., offered the following prayer:

God of our fathers and mothers, God of us all, we ask Your inspiration and guidance as the Members of the U.S. Senate begin their deliberations upon the weighty matters of the day. Be with them as they deal with the torn and tangled issues before them. Give them the strength of conscience, the balance of judgment, and the wisdom to compromise. Let each be steadfast to his or her conviction and yet respectful and mindful of the convictions of others. May there always be harmony and helpfulness in this Chamber. May its decisions be for the good of our country and the peace of the world. Whatever it be, may we always be the United States. May God's blessings of peace be upon us here today and everywhere else on Earth. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

THE JOURNAL

Mr. BAKER. Mr. President, I ask unanimous consent that the Journal of the proceedings of the Senate be approved to date.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BAKER. Mr. President, the Senate, under the previous order, will proceed to the resolution of disapproval of the arms sale package to Saudi Arabia at 9 a.m. The time for the two leaders has been reduced to not more than 5 minutes each under an order entered last evening, with a brief period for the transaction of routine morning business at the expiration of the time of the two leaders.

Mr. President, I have no need for my time this morning, and I am prepared to yield it to any Senator or to yield it to the control of the distinguished acting minority leader.

RECOGNITION OF THE ACTING MINORITY LEADER

The PRESIDENT pro tempore. The acting minority leader is recognized.

Mr. CHILES. Mr. President, the minority leader has no need for his time. He is prepared to yield it back.

Mr. BAKER. Mr. President, I yield back my time under the standing order.

ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business.

Mr. BAKER. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PROXMIER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KASTEN). Without objection, it is so ordered.

THE MENTAL HARM CLAUSE OF THE GENOCIDE CONVENTION

Mr. PROXMIER. Mr. President, today, I should like to examine the interpretation of the mental harm clause in article II of the Genocide Convention.

The Liberty Lobby's "white paper on the Genocide Convention" alleges that this clause will:

Inhibit law enforcement agencies from taking action against any identifiable group;

Subject this Nation to prosecution before the world court for our racial segregation policies prior to 1954; and

Curtail our freedom of speech by inhibiting authors who fear they may inflict mental harm on a group of readers.

Mr. President, these allegations are completely false and I intend to prove it point by point.

But, first, it is important to look at the exact wording dealing with mental harm in the Genocide Convention. Article II states:

In the present Convention, genocide means any of the following acts committed with intent to destroy in whole or in part, a national, ethnical, racial or religious group.

Subsection (b) defines one of the prohibited acts as "causing serious bodily or mental harm to members of the group."

Mr. President, to the extent that there was ever any ambiguity regarding this phrase—and I do not believe it is vague at all—that question was resolved by the understanding recommended by the Senate Foreign Relations Committee defining serious mental harm as "permanent impairment of mental faculties."

According to former Ambassador Charles Yost:

This standard is rigid enough to discourage frivolous allegations of genocide through mental harm.

But the Liberty Lobby thinks differently. So let us examine each of their arguments in turn.

Their first point—that law officers might be inhibited to take action against any identifiable group for fear of being charged with genocide—is absurd. Why? The Liberty Lobby is ignoring the basic definition of genocide contained in the treaty. What does it say? To be convicted of genocide, an individual must commit this act with the intent to destroy—let me repeat that: Intent to destroy, in whole or in part, a national, ethnical, racial, or religious group. Under our Constitution, laws could not be enacted with intent to destroy groups within our society.

Therefore, there is no chance—and I mean none—that routine law enforcement could ever meet this treaty's definition of genocide.

Their second argument—a fear that racial segregation policies prior to 1954 might be held as genocide by a world court—is impossible. This treaty is simply not retroactive. Not in any way.

Finally, the argument that freedom of speech might be curtailed as authors worried about inflicting mental harm on groups of their readers is also ridiculous. The understanding recommended by the Foreign Relations Committee classifies mental harm as having inflicted permanent impairment of mental faculties for a substantial portion of the group. In addition, as I have noted earlier, an individual's intent to commit genocide would have to be clearly established.

Mr. President, even the American Civil Liberties Union, which places utmost priority on preservation of constitutional guarantees, does not draw this spurious connection between the mental harm clause and loss of freedom of speech. They stand firmly behind this treaty, convinced that our constitutional freedoms remain intact.

In short, these allegations are unfounded on every count.

Mr. President, with each passing year, the support for the Genocide Convention continues to grow. As the American Bar Association recognized in 1976, the objections raised in opposition to this convention have simply not withstood the test of time.

Mr. President, the American Bar Association was courageous enough to admit their mistake in opposing the convention. I hope that, someday, Liberty Lobby will display that same courage.

Mr. President, I urge my colleagues to join with me in seeking ratification of the Genocide Convention.

A TRIBUTE TO DR. ROBERT LEBARON

Mr. THURMOND. Mr. President, today I am issuing a special tribute to Robert LeBaron, a great scientist and industrial consultant, on the occasion of his 90th birthday on October 31.

Dr. LeBaron, often aided by his lovely and charming wife Peggy, is a man who has pursued many interests. He has been termed by Newsweek magazine "the versatile man on the wave of the future." In fact, his Government career was carried on continuously under four successive Secretaries of Defense, and his work for national security was so vital and so highly classified that he was once known to the Washington press corps as "the mystery man of the Pentagon."

Born in Binghamton, N.Y., the young Bob LeBaron went on to graduate from Union College in 1913 with a bachelor of arts degree in chemistry and electro-physics. He received his master of science degree from Princeton University and later went, from 1919 to 1920, to study at the Ecole Nationale Supérieure des Mines at the Sorbonne in Paris, France. He has received two honorary doctorates from Union College and Thiel College.

His most vital work—work for which all Americans can be grateful—started in 1949 when he joined the Department of Defense as deputy to the Secretary of Defense on atomic energy matters. In October of that year, he was nominated and later confirmed by the Senate as the first Chairman of the Military Liaison Committee to the old Atomic Energy Commission.

In his dual role, he was charged with developing atomic policy on all matters relating to the Department of Defense, and for supervision of the separate atomic energy activities of the Army, Navy, and Air Force. As a direct result of his extensive work in this area, he was awarded the highest civilian award of the Department of Defense for outstanding services in the development of a coordinated atomic energy program for the national security.

In 1954, Dr. LeBaron returned to private life in Washington, D.C., as an independent consultant on financial and technological developments relating to peaceful nuclear energy use.

That same year, he began a parallel adventure as a kind of ambassador at large for the Nation he loves. He was designated by the Department of State as a U.S. special representative to the World's Fair exhibition commemorating the 400th anniversary of São Paulo, Brazil.

After this trip, he undertook numerous trips to foreign lands to support and promote responsible nuclear power. These good-will visits were experiences which gave him an intensive knowledge of the desire of Western and other nations to participate in the peaceful development of atomic energy.

Since 1955, Robert LeBaron has served as an adviser to various financial groups and corporations in connection with private industry's evaluation of the uses of nuclear power. Among his clients have been business interests of Laurance Rockefeller, Vincent Astor, and Harvey

Firestone. He also has been a longtime member of the U.S. Chamber of Commerce Committee on Commercial Uses of Energy.

Dr. LeBaron is also well known for his yeoman work on behalf of LeBaron Associates, a Washington, D.C., firm which was organized, in his words, "to analyze and evaluate equity possibilities of new scientific and technological developments."

I believe—and my colleagues who also know Dr. LeBaron will agree—that his immense contribution to industrial development in this Nation has been his ability to combine scientific knowledge with management skills and a long-range philosophy regarding the economic potential of nuclear power.

He is truly an elder statesman of the atom, and I salute him on his 90th birthday. Robert LeBaron continues to serve as an excellent example for young scientists to emulate, especially since it was his combination of experience and understanding that helped him make America a better nation.

We wish Dr. LeBaron and his gracious and beautiful wife Peggy good health and happiness in the years ahead. May they continue to build international good will and peace through their bonds of friendship throughout the world.

On October 27, Joint Chiefs of Staff Chairman David C. Jones gave a dinner at the Pentagon in honor of Dr. LeBaron. Mr. President, I ask unanimous consent that the brochure printed for this occasion be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A TRIBUTE TO DR. AND MRS. ROBERT LEBARON

In 1898, seven-year-old Bob LeBaron marched in the parade in honor of Teddy Roosevelt, the hero of San Juan Hill, and his Rough Riders, as most of the 20,000 citizens turned out in Binghamton, N.Y. to support Teddy's run for the governorship. His dad and three uncles (the popular LeBaron quartet) were barbershopping "A Hot Time in the Old Town Tonight."

He followed the campaign train all summer long. He learned to be quiet and unobtrusive and to remain as invisible as possible—qualities which served him egregiously later in life. Robert LeBaron never abandoned the habit of looking, listening, learning and remaining as invisible as possible. Through all the positions of power that he held, few people knew the weight of his influence or the extent of his authority.

Bob went to Union College where he studied under Charles Proteus Steinmetz who was teaching electro-physics. He worked scrupulously. Symbols and theory became clear. His work laid the solid foundation which enabled him to stay in the forefront of science all his life.

Music already had a strong appeal for him. He became a star member of the cross country team. In 1911 and 1912 he held the New York State record for the half mile. In 1912 he made the olympic track team to Stockholm, Sweden and subsequently held the world's 1,000 yard record (2 minutes and 12 seconds). His entire life he continued to insist and persist in keeping his body exercised and in good health.

He won a scholarship to attend Princeton University. His classmates were the likes of Karl and Arthur Comptons, Harlow Shapely, Alan Dulles and Lowell Thomas. At Princeton Bob spent two years in chemistry. In 1916 he changed to physics. As a student

there he and his friends frequented New York City to attend the Metropolitan Opera house performances and the theater.

In 1917 they all "went off to war". LeBaron became a lieutenant in the Third Field Artillery. At that time the Army did not have enough men to go around, so Bob did double duty. In addition to his lieutenant duties he served as ceremonial officer of the artillery group—a very important role in the Army then. That put Bob as number 185 on the officers list—a senior officer. Had anyone told him that 30 years later he'd have over 100,000 officers under him at the Pentagon he would have laughed at them.

In 1917 he attended a big dinner in Coronado to celebrate a proud achievement—four airplanes had been able to stay aloft for 15 consecutive minutes.

In 1917 he became the Military Staff Aide to President Wilson. Throughout the spring and summer he shuttled back and forth from Ft. Myer to the White House on a sort of semi-detached duty. President Wilson, ex-president of Princeton, took a liking to this young Princeton instructor. Wilson, 50, who disliked talking to men of his age and older, found himself completely at ease with the unassuming, perceptive, intelligent and ever-alert military aide.

During the fall of 1917 the Third Field Artillery was sent to Alabama to set up Camp McClellan. Then Bob and his company went to Camp Sill, Oklahoma, for artillery training before embarking for France. In July 1918, together with 5,000 members of the AEF, they piled on the CORONIA (built for 800) and set off for Europe. It was a harrowing trip. The old hulk survived two submarine attacks and zig-zagged so far North trying to outwit others that it took 16 days to reach Liverpool.

Later, in one of the bivouac areas in South England, Bob ran into Rudyard Kipling who was collecting garbage as his wartime duty. That was the Queen's punishment for Kipling's prediction of the end of the British Empire.

Bob and company embarked for France. From LeHavre they were taken to Val De Mont to learn the French school of fire (75mm vs US's 3-inch pieces). The next move was to Sedan, right in the middle of the biggest World War I action, where they saw six weeks of fighting. Problem was not to fight the Germans, said Bob, "It was to keep the damn equipment on the road—to get it up where we could shoot it." Troops blocked the narrow roads. Wherever French soldiers ran into an American road-block, they would throw the Americans guns into the ditch. The Americans would retaliate. Feelings ran hot. Everyone learned the other's best curses. There was no one to administrate the right of way.

After Armistice Day on New Year's Day 1919, Bob was ordered to Paris and informed that he could finish his studies. He enrolled in the Sorbonne to work under Mme. Marie Curie to research radiation. That spring he received his doctorate. What next?

President Wilson came to Paris in June for the Versailles Conference and immediately requisitioned Bob as a staff member of the US delegation. Bob attended to the President's basic needs: locating bathrooms, keeping a chair always nearby for the President, carrying messages back and forth. As a member of the US delegation he was persona grata everywhere.

In October 1919 he arrived to an entirely different US and was faced with the immediate imperative of having to earn a living. Finally he found a job with Arthur D. Little in Cambridge, Mass. The firm's masthead, interestingly enough, bore the slogan: "You Can't Make a Silk Purse Out of a Sow's Ear. But Arthur D. Little Can." And he did. Little thought big.

Bob was on Little's wavelength. Thinking 10-15 years ahead came naturally to him. Still, he was deeply influenced by his employer's habit of long range planning. Chemistry was just learning about polymers. Today polymer chemistry is the basis of a mammoth chemical industry. They also fixed their sights on other complicated fractions (from oil and gas): propylene, butylene, and beyond.

Bob was chosen to make convincing, on-scene presentations to firms around the country to sell the idea of research and development and how his firm could help others. The concept was too far advanced for its time. He claims today that he was thrown out of more offices than any man of the era. Still he piled responsibility upon responsibility. It seems that there was never a hat that wasn't made to his measure.

In 1926 Little joined in a group venture to develop petro-chemicals; they were the pioneers of today's vast petro-chemical industry. They set up Bob as Technical Vice President and moved him to an opulent headquarters on Wall Street. The scientist became an industrialist. He commuted between Oklahoma and New York City. The company merged with Standard Oil of New Jersey.

Bob found many things to be grateful for in New York, premiere among these was his acquaintance of a vivacious blonde dancer by the name of Peggy Bancroft—"as bright as she was beautiful". Their shared love of music and theater drew them together. But soon Peggy also became conversant with all of Bob's interests—a situation and attitude which she made sure continued throughout their lives. By October 14, 1926, they were married.

Peggy's history is as interesting as Bob's. She still speaks excitedly of the time she left home at the age of 18 with only \$100.00 in her possession—money she was able to borrow from a friend's parents. She held "a good many jobs" including, she does not mind letting anyone know, a job as a peddler on Wall Street. Finally, she began to work with Rogers and Hart (later Hammerstein took his place), danced with the Ziegfeld Girls and played opposite Eddie Cantor.

She did many New York City shows. She was the featured singer-dancer in "Dearest Emmy" (1925) and "Sunny" (1926). And she performed in "Rosalie" (1928) and "Whoopee" (1929). She played in many great shows of her time: "Ripples" (1931), "Here Goes the Bride" (1931), the memorable and extended hit "Of Thee I Sing" (1932), "Pardon My English" (1933), "Let 'Em Eat Cake" (1934), "Merrily We Roll Along" (1936) were all performed in New York City. Peggy never went "on the road" because she did not want to leave Bob.

Bob's feeling for music, deepening with the years and stimulated by Peggy's efforts, led to more time spent on playing the piano, experimenting with song writing. He also worked on his compositions in the office in between appointments. Songs written by Bob were often part of Peggy's singing program.

On Wall Street the prospects of Petroleum Chemical Corporation began to steadily dim. Depression loomed in the future. Many firms were closing their doors by 1930. What should they do next? Bob knew he wanted to concentrate on music and learn all there was. Peggy, who are never without a job, agreed.

The LeBarons decided to put their \$17,000 in assets into the National City Bank and take a chance on music. For the next five years Bob struggled under Dr. Frederick Schlieder, studying Bach, Brahms, Beethoven, others, identifying always with the rhythms, tone quality harmonic structure of the melody. He developed a greater harmony within himself. The tension between art and science released itself.

He started to work for NBC radio where he did scoring. He worked with a few groups

moving in the direction of classical music, a forerunner of a trend that culminated with Toscanini and the great Sarnoff concerts.

In 1936 business recovered its health.

Bob had accomplished everything he had set out to accomplish in his musical training. At 45 he didn't feel music was his destiny and he had a great urge to go back to chemistry. Through friends he met and subsequently went to work for Augustus Eustis of Virginia Smelting, which specialized in two refrigerants (pressurized gases): sulfur dioxide and methyl chloride. Bob quickly found the main weakness of the industry: there was no orderly chain of supply, no concerted effort to service and expand the market. There was also the nagging question of Freon—a Dupont monopoly. Then it struck him, why not set up an agency equipped to provide help of all kinds at all times to the dealers. This would allow manufacturers to concentrate on Research & Development. Dupont was quite willing to let Bob handle the headaches of distribution.

He was also a key person in setting up fellowships for universities to support students who would then support advanced research and development.

In December 1941 he came to Washington DC for a "short" conference. Three days later, Pearl Harbor. The transient room was their home until after the war. Today it forms part of their suite. President Roosevelt appointed Bob as one of the first dollar-a-day man. He was assigned to the War Preparedness Board to build the chemical supplies stocks.

Bob's rare combination of imagination, experience and contacts catapulted him to the top levels of government immediately. Robert Patterson, Secretary of War, had been his classmate at Union College; James B. Forrestal, Secretary of the Navy, had been his pupil at Princeton. No need to go through channels—the doors of Army and Navy were always open to him. He soon found himself on the Requirements Committee of the WPB allocating products for both military and civilian use.

Peggy continued her activist role throughout this period. She sang with the Navy Band at the Stagedoor Canteen. But, most importantly, she ran an Army radio program at Walter Reed called "Peggy and the Soldiers". Of special concern to her were the too many amputees. These men were in the midst of a physical and psychological Waterloo. They felt bitter about their condition, and though, "The Government got me into this. The Government can take care of me for the rest of my life." Hence they refused to use their artificial limbs. Peggy put them on her radio program to help her as well as to allow them to use their talents. The resultant fan mail (aided by the not insubstantial charms of a number of attractive Red Cross girls) changed their attitudes and helped them move towards recovery.

After the war Bob continued as a full-fledged partner of Eustis at Virginia Smelting but also became the first Executive Consultant in the U.S. by signing a very lucrative contract with Standard Oil of California as Technical Advisor to the President on Petro-Chemical matters. The chemical field was wide open. Bob helped to develop compounds which were both strong cleaning fluids yet would dissolve in water. Then he helped to market gasoline and lubrils. His confidence in chemical products was brilliantly substantiated. The products turned out to be about four times as effective as animal fats. Furthermore, it was reliable in performance, could be counted on for the same effectiveness every time, and had reliable prices, whereas animal fats went up and down in both of these important sectors. With skill and ingenuity he ended up with contracts with the three giants of the

U.S.: Proctor & Gamble, Lever Brothers, and Colgate.

Successively all the petroleum fractions and all the waste gases were transformed by the magic of chemistry into profitable derivatives. Twenty years had elapsed since young LeBaron's first forays as an itinerant preacher for petro-chemicals. But never once during the years of discouragement had LeBaron's faith wavered. This was an outstanding characteristic of his entire professional life—to stay with his vision no matter where it led. It never failed and eventually led to a successful conclusion.

The LeBarons kept to their health schedule of tennis, badminton and long walks; daily exercise of some sort throughout the years, determined to make the number one priority keeping fit. Their attitude has always been, if God gave you your life and your body, the least you can do is to keep it in good shape.

In 1949 William Webster, Chairman of the Military Liaison Committee between the Defense Department and the ABC, came to offer Bob his job. Trying to reconcile the conflicting demands of Army, Navy, Air Force, State Department, Congressional Joint Committee on Atomic Energy and the Atomic Energy Commission—each jealous of its own prerogatives and suspicious of encroachment—would be a job of responsibility, work and worry: the kind of challenge that excited him.

Bob was scarcely in his new office before a WB-29 weather reconnaissance plane on a routine patrol from Japan to Alaska picked up measureable radioactivity over the Kamchatka Peninsula. Further sampling and analysis yielded shattering news. The Russians had exploded a nuclear device. Gone was the 10-year margin of safety and the nuclear monopoly of the U.S.

General Omar Bradley, Chairman, Joint Chiefs of Staff, introduced Bob to the JCS and their staffs. Bob set to work immediately on a study of the Defense Department war plans as they related to atomic weapons. The Soviet accomplishment demanded an immediate speed-up in our nuclear stockpiles.

The Soviet explosion, in cancelling our nuclear lead, highlighted a scientific hypothesis which took a quantum jump beyond fission—to the fusion of light nuclei. If a fission chain reaction could be made to reproduce the heat of the sun in the laboratory, would a chain reaction ensue? Seminars were held on fusion. Once into the complicated, frustrating business of disciplining the chain reaction into a bomb, however, problems of geometry, metals, cladding and coolant, made it clear that all our skill and effort would be needed to make a fission bomb. General Bradley took the position that if there was any possibility that a more powerful weapon could be developed, the U.S. should be the first to do it.

Conflicts over the advisability of staging a crash program for the "super" heightened. Chairman LeBaron realized the "technical situation in fusion was exploratory, experimental, and doubtful of outcome." It was imperative to push the program of Atomic Bomb production; to pursue the complicated experiments and tests for variations in size, geometry, and power of the fission bomb. The grave question was whether our nation's resources were equal to the tremendous burden—greater than those involved in the original development of the Manhattan Project. Yet all of his experiences oriented him toward a crash program no matter what the uncertainties.

All the pros and cons of pushing through a crash program on the "super" would be thrashed out in meetings of the Combined Policy Committee. The results of these discussions would be submitted to the President. He would make the final decision.

When Congress convened, January 1950, the Joint Committee went to the then Chair-

man McMahon who read a 5,000 word letter he had sent to the President urging a swift decision to proceed with the "super". The Joint Committee approved the letter and concluded that a recommendation be sent to the President after a hearing with Defense representatives, the AEC, and the members of the GAC.

The "super" broke on the air waves via Drew Pearson on January 15 and into page one headlines by James Reston in The New York Times two days later. It was imperative to move fast with the Presidential announcement.

On January 20, LeBaron and Gen. Bradley discussed the policy issues with the full Congressional committee. The directness and clarity of Bob's exposition quickly convinced the Joint Committee that money should be allotted to build the additional production plants needed for the "super" even while tests were underway. With Defense and the Joint Committee on the side of the "super", Secretary of State Acheson felt that the push for a decision had become too strong. Further delays would only sharpen the controversy. State recommended no crash program but a deliberate attack to determine the feasibility of the weapon within three years. It remained only for the President to make his decision and put an end to rumor.

LeBaron was asked to write a draft statement that President Truman could issue on 30 January 1950. The statement went to the White House at 10 o'clock. At noon it was on the teletype. The words were clear, simple and direct:

"It is part of my responsibility as Commander in Chief of the Armed Forces to see to it that our country is able to defend itself against any possible aggressor.

"Accordingly, I have directed the Atomic Energy Commission to continue its work on all forms of atomic weapons, including the so-called hydrogen or super bomb.

"Like all other work in the field of atomic weapons, it is being and will be carried forward on a basis consistent with the over-all objectives of our program for peace and security."

"This we shall continue to do until a satisfactory plan and international control of atomic energy is achieved. We shall also continue to examine all those factors that affect our program for peace and this country's security."

LeBaron stressing the need for urgency demanded that enough H-bomb fuel be produced at the outset to provide not only for test requirements but for the fabrication of small scale weapons if the test proved an H-bomb possible. At the same time he pushed for increased production of fissionable materials for atomic bombs by expanding existing reactors and getting appropriations for new ones. He was convinced that the problems of size and weight that restricted nuclear weapons to Air Force delivery would yield to stepped-up research and more abundant experimental material. He clearly foresaw tactical atomic weapons small enough for guns and ships.

On September 21, 1950, General George C. Marshall succeeded Louis Johnson as the nation's third Secretary of Defense. General Marshall and Bob LeBaron got along famously. Part of the initial exchange bears repeating:

"I'd like to begin by exchanging idiosyncrasies," said the Secretary. "Helps us understand each other. What are yours?"

"Well," replied Bob, "I would like to get out of here by 5:30 in the afternoon."

"That won't be any problem, Mrs. Marshall picks me up at 4:30 every day." The Secretary leaned forward, "I'll tell you something. No decision around here is any good if it's made after four o'clock in the afternoon because we'd only have to do it all over again next day."

In dealings with others, Bob's stock cut-off to any seemingly unsolvable dispute was, "Well, let's go and see the President." Naturally the suggestion was never followed but everyone knew it was no idle boast: LeBaron could walk in to see the President any time without intermediaries.

The press was perplexed by Bob's prestige. In Washington, where every government committee was constantly scrutinized for newsworthy stories, the Military Liaison Committee was rarely heard of, yet there was a sneaking suspicion that its Chairman was behind many a Pentagon decision. LeBaron did his utmost to keep his committee inconspicuous. He kept the tempo fast and the activities secret. There were no leaks or inspired back-biting in the press. And he downplayed his role in order to remain anonymous. Riding to see the President he would crouch down on the floor of the car for invisibility and slip in the back way to avoid reporters. The press dubbed him the "Mystery Man of the Pentagon."

Bob gives great credit for his accomplishments to the "enormous advantage, after Marshall came, of having a very wise team with Marshall, Bradley and Acheson and Lovett to deal with . . . and a President who would back you up. It was a team where you didn't have to worry where you stood. We didn't have to deal with anybody and there were no press involved."

On June 25, 1950, communists attacked South Korea. President Truman acted swiftly. By July US troops were again fighting on foreign soil. Shortages of material and manpower soon began to manifest themselves. This increased the pressure on LeBaron, who felt that nothing could be allowed to interfere with the nuclear effort. He stepped up his drive to expand production. He pressed even more insistently for increased numbers and types of nuclear weapons. Nor could he permit the thermonuclear project to lag behind. As 1950 drew to a close, demands converged on LeBaron from all sides. The Air Force clamored for a nuclear powered airplane. The Navy called for a nuclear powered aircraft carrier.

The overall priorities in LeBaron's area of responsibility were firmly set in his own mind: (1) to increase the amount of fissionable material; (2) to keep conflicting demands for this strategic material in realistic balance for weapons, for submarine reactors, aircraft reactors, carrier reactors; (3) to move gradually in the direction of industrial reactors to compensate for the coming shortage of electric power that he clearly foresaw. To achieve his many ends LeBaron had to massage the egos of some of the primadonnas of physics, including Edward Teller. He succeeded in this area as well.

In mid-October 1952 LeBaron flew to Honolulu on the way to Eniwetok, Marshall Islands, where the first H-bomb test was to take place on 1 November.

It was just before dawn, on November 1, 1952. LeBaron was flying in an old World War II plane, the type where the guns came out over the top which could be used as a look-out. The plane was positioned about 11 miles from the shot at an altitude of about twelve thousand feet. Suddenly the heavy grey silence was shattered by a deafening blast, the sky exploded with color—a brilliance that held for maybe five minutes or more, LeBaron remembers. He knew a tremendous power had been released, and he braced himself for the following shock waves. Nothing happened. The plane remained as steady after the shot as before. He looked at the radiation instruments. Nothing had registered. No radiation had touched the plane. When the plane landed at Kwajalein for refueling on the way back to Washington, some 200 miles down the line, the Admiral who met them at the strip said, "What in the name of Hell is going on

down there?" The roofs were blown off the buildings. Trees were down. The place was a shambles.

But that's not the end of this story. The unpredictability of shot effects was further corroborated in 1970, when the LeBarons were at a dinner party with General McConnell, who had been CSAF Feb 65-July 69. They were discussing the MIKE shot, and McConnell said, "Yes, I was there. I was one thousand feet below you, and we had the most unbelievable time keeping our airplane aloft. I could hardly fly the damn thing. It dropped so fast—I just got it out of a dive and a spin and everything else about 1,000 feet above the ocean."

Apparently the shock wave had missed LeBaron's plane completely, but had hit everything else in sight. By the time Bob arrived at the Pentagon, the news had preceded him. There he learned the size of the shot, and the fact that it had taken out the whole island, leaving only an enormous water-filled hole in its place.

General Marshall's reaction was encapsulated in the following musing:

"We're seeing the end of war. We're right at the end of war as an instrument of national policy for security. Big wars. Nobody will ever fight big wars when things like this are available, because the whole concept of mass fighting, of infantry, of course goes out the window. The whole thing has to change. You have to fight as the Indians did."

In addition to his other obligations, Bob had been working during 1952 on a program for civilian uses of atomic energy. He had long had the idea that a study should be made of peaceful uses to counterbalance the horror of military applications. On May 20, 1954, came his opportunity to communicate his ideas to the nation, in an address at the dedication ceremonies of a new Industrial Research and Development laboratory. The speech made headlines across the country and an impact around the world. Sometime later he told Secretary of Defense Charles Wilson that he would leave his government post. The two then set a definite date for his departure: August 1, 1954.

When he left the Department of Defense in 1954, he was accorded the rare distinction of a special award, presented collectively by the civilian Secretaries of the DOD, the Joint Chiefs of Staff, the Commissioners of the Atomic Energy Commission, and the 18 members of the Joint Committee on Atomic Energy of the Congress. He added this unusual honor to the one received earlier in January 1953, which was the highest civilian award given by the Department of Defense for distinguished public service.

In 1954 he turned his energies toward a study of the relationships between the technological "breakthroughs" emanating from the accelerated defense weapons programs, and their potential in equity profit. He organized a study group to evaluate the investment possibilities inherent in peacetime uses of atomic energy. It was his great desire to turn the force of atomic energy into peaceful uses. Many industrialists shared this vision. He and his group of specialists were hired by a sort of "consortium" of industrialists like Vincent Astor, Henry Ford, the Mellons, and Harvey Firestone. They were going to research what could be done in this area.

He "always wanted to be a consultant," says his wife Peggy, and that's really what he did from 1956 to the present. He advised industries, but he also founded and became the Managing Director for LeBaron Associates, Washington, D.C., a partnership organized to analyze and evaluate equity possibilities of new scientific and technological developments.

In addition, in 1961 he established and became Managing Partner of the Norabel

Fund, Washington, D.C., an investment partnership which supports technological "breakthroughs" in its continuing study of accelerated programs and their potential for investments.

The LeBarons unique philosophy of life and abiding interest in peoples of other countries, their cultures and their problems, coupled to their uncanny vision, breadth of understanding and unlimited energies have come into a lifetime focus in a number of related activities.

ENVOI

An exhilarating and fruitful life, then, lived to its fullest by both Bob and Peggy LeBaron. Neither leaving the other's side, and both still living in that Washington-Sheraton suite they walked into for their original three-day sojourn in 1941. Inside, they have walls and shelves filled with mementos, memories, thank-yous and faces of the very great in our Nation's history. Outside, they enjoy their philanthropic activities and the warmth and admiration of their friends and of all who come into contact with them.

Surely both must have read Horatio's exhortation: "Carpe Diem. Ne credula poster!"—colloquially, "Live today. Don't wait 'til tomorrow." If they didn't read it, well, then they invented a classic American version of it.

THE SECRETARY OF DEFENSE,
Washington, D.C.

HON. ROBERT LEBARON,
Washington Sheraton Hotel,
Washington, D.C.

DEAR BOB: Best wishes on your 90th birthday! You have much to be proud about today—not the least of which is a fine record in serving four Presidents and their Secretaries of Defense through a host of key issues.

Though I am very sorry I cannot attend the luncheon given in your honor by General Jones, I would like to wish you the very best on this important occasion.

Sincerely,

CASPAR WEINBERGER.

THE WHITE HOUSE,
Washington, October 26, 1981.

HON. ROBERT LEBARON,
Washington Sheraton Hotel,
Washington, D.C.

DEAR DR. LEBARON: Nancy and I send our warmest congratulations as you celebrate your 90th birthday.

You have much to be proud of and to fondly recall in the midst of your friends at this special tribute. Your outstanding service to four Presidents—Wilson, Roosevelt, Truman and Eisenhower—is well known and has earned the respect and gratitude of all who know you.

Although I am unable to attend your birthday luncheon, I'm with you in spirit for the happiest and most memorable celebration ever. My very best to you and Mrs. LeBaron in the years to come.

Happy Birthday!

Sincerely,

RONALD REAGAN.

THE VICE PRESIDENT,
Washington, October 28, 1981.

DR. ROBERT LEBARON,
The Sheraton-Washington Hotel,
Washington, D.C.

DEAR BOB: Congratulations to you on the occasion of your 90th birthday. What an outstanding career you have had. Your accomplishments and contributions to this nation are rivaled by few.

Both Barbara and I send our very best wishes for a happy birthday and many happy returns of the day.

Sincerely,

GEORGE BUSH.

Mr. THURMOND. Mr. President, I yield to the able Senator from Nebraska, Senator ZORINSKY.

Mr. ZORINSKY. Mr. President, I wish to thank my colleague from South Carolina.

IN TRIBUTE TO DR. ROBERT LEBARON

Mr. ZORINSKY. Mr. President, in our line of work, it is refreshing occasionally to come in contact with someone who thinks, not of the next election, but of what is best for the next generation. The man we are pausing to honor at this time is just such an individual—and a good friend as well.

Dr. Robert LeBaron, who celebrates his 90th birthday on Saturday, has been called a man "on the wave of the future." No description could be more fitting. Since the opening of the atomic age, Dr. LeBaron has been in the forefront of efforts to harness nuclear power and put it to constructive use for the betterment of our Nation and of all mankind.

Starting in 1949, this professional chemist served as Deputy to the Defense Secretary for Atomic Energy Matters and as the first chairman of the Military Liaison Committee to the Atomic Energy Commission. Later, he served as a consultant on financial and technical developments relating to peaceful nuclear energy use.

An unofficial "ambassador at large," Dr. LeBaron undertook numerous goodwill trips for the Nation in support of responsible nuclear power. And he has served as a nuclear power advisor to private industry as well.

And, Mr. President, Dr. LeBaron's interests and abilities do not just begin and end with nuclear power. A talented athlete at Union College in Schenectady, N.Y., he served on the U.S. Olympic Track Team in 1912 and has also been a pianist and composer.

For 2 years in the 1930's, he arranged and conducted music for radio and for several more years he was a member of the visiting committee of New York University's Fine Arts Department.

And, today, as a resident of Northwest Washington, Dr. LeBaron maintains an active interest in music, swimming, and tennis as well as nuclear power.

Mr. President, I know my colleagues on both sides of the aisle will want to join Senator THURMOND, Senator HATFIELD, and me in wishing this most versatile individual a happy 90th birthday this coming Saturday. And I know they will want to join me in wishing Dr. LeBaron many more enjoyable birthdays in the future.

But most of all, Mr. President, I know my colleagues will want to join me in paying tribute to one who has done so much to aid in the development of responsible nuclear power in this country and around the globe. Dr. Robert LeBaron and his wife, Peggy, are truly people who have "ridden the wave of the future" and kept their eyes focused on what is best for future generations of Americans. And for this, we all owe them a deep debt of gratitude.

Thank you, Mr. Chairman. I yield the floor to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I believe I have about 4 minutes left. I have reserved that time for Senator HATFIELD, who desires to present some remarks.

TRIBUTE TO DR. ROBERT LEBARON

Mr. HATFIELD. Mr. President, we have the privilege today of recognizing the achievements of Dr. Robert LeBaron as we join him in celebrating his 90th birthday.

Dr. LeBaron has combined a devotion to his work on the cutting edge of atomic science with a concern for the human effects of technology. This highly esteemed scientist has also demonstrated a commitment to the arts, an indication that he is a truly versatile asset to his country.

Born in the central New York town of Binghamton, Robert LeBaron studied chemistry and physics at Union College. He received his masters in physics from Princeton University in 1917 and went overseas to study radiochemistry at the Ecole Nationale Supérieure des Mines at the Sarbonne in Paris.

Following several years of work in industry, his technical expertise and military experience were employed during World War II as a member of the War Production Board. After the war, he continued to serve America in the rapidly expanding field of atomic energy. He played a key role in setting atomic policy for the Department of Defense and for each of the services. He was instrumental in the development of a coordinated atomic energy program for national security.

He has also served, at various times, as a representative for the National Security Council and the State Department. The United States is particularly indebted to him for the many occasions on which he represented the Nation abroad as an advocate for the peaceful use of atomic power.

Upon the completion of his many years of distinguished work in the Government, Robert LeBaron shifted his many talents to the private sector. He is a managing director of LeBaron Associates and a managing partner of the Norabel Fund. These organizations have analyzed and encouraged scientific and technological breakthroughs for the past 20 years.

In addition to his efforts as a nuclear scientist, our guest is the president of the LeBaron Foundation. The foundation, established in 1961, is dedicated to constructive works in the arts, sciences, and humanities.

These many accomplishments have not gone unnoticed. Union College and Thiel College have both presented Dr. LeBaron with honorary degrees, and the Department of Defense has given him its highest civilian award for his work there.

I am grateful to Dr. LeBaron for the role he has played as a pioneer in the nuclear field who has labored long and hard for the advancement and wise use of technology. On this, his 90th birthday, all Americans join in thanking Robert

LeBaron for his steadfast service to our country.

MARIACHI COBRE

Mr. DeCONCINI. Mr. President, I rise for the purpose of calling attention to the Mariachi Cobre, a group of young men from Arizona, who have recently been selected as the most outstanding Mariachi group in the country. They have spread good will throughout the country and have heightened a cultural awareness of a very important part of our society.

The members of the Mariachi Cobre are: Randy Carrillo, Steve Carrillo, Mack Ruiz, Jim Acuna, Frank Grajalva, Roberto Martinez, Pat Carreon, Fernando Blast Sanchez, and Fred Tarazon.

The week of October 19, 1981, was designated as Mariachi Cobre week in Tucson, Ariz. I heartily recommend that if my fellow Members of the Senate should ever have the opportunity to see them perform, you should certainly take advantage of that opportunity. It will be a thoroughly enjoyable experience.

WHIP INFLATION NOW

Mr. ROBERT C. BYRD. Mr. President, according to press reports, the administration has hit upon a sure-fire way to reduce inflation painlessly: They plan to change the way it is measured. Evidently, the last 3 months of double-digit inflation convinced the administration that its bankrupt policies of high interest rates, high unemployment, and tight money would not bring inflation down. Promises of lowered inflationary expectations if Congress enacted David Stockman's economic program have fallen with the autumn leaves, so the decision was made to grab the bull by the horns and make a statistical adjustment in the Consumer Price Index.

Economists and statisticians have long argued about the pros and cons of the Consumer Price Index, but none of them has told us how changing the way inflation is measured will make it easier to buy a new home or to make payments on a new car. Perhaps the CPI has overstated inflation because of its heavy use of interest rates, but has the CPI overstated the damage these interest rates have done to our housing and automobile industries? Has the CPI overstated the disappointment that young couples feel when the promise of owning a home turns into nothing more than a lost dream?

The CPI may be adjusted, and it may show slower inflation, but the changes cannot make the economy work better, or lower the impact which inflation has on our citizens. Perhaps the administration should begin to pay closer attention to the contradictions and bad numbers in its own economic statistics rather than worrying about ways to make it look like their programs are succeeding in whipping inflation now.

Mr. President, I ask unanimous consent to have printed in the RECORD an

article published in the Baltimore Sun of October 27, 1981.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. TO CHANGE HOUSING SECTION OF PRICE INDEX

WASHINGTON (NYT).—The government plans to announce today that it will rewrite the much-criticized housing component of the Consumer Price Index, a move that would eventually affect cost-of-living increases for millions of Americans.

The change, Labor Department officials said yesterday, is aimed at eliminating from the index the distorting impact of mortgage interest rates and overemphasis on housing. These have resulted in the overstatement of the overall inflation rate in times of high interest, and ultimately higher government spending.

Over time, the officials said, the revision in the housing component should mean smaller increases in the CPI and, in turn, smaller cost-of-living increases for Social Security recipients and those on federal pensions and for workers whose wages are tied to the CPI. This could lead to smaller increases in government spending.

The main change will be to move from the present housing component, which includes house prices and mortgage interest rates directly, to one that measures the cost of shelter with some sort of rental equivalent.

Administration officials said the new measure would not be effective until sometime in 1983 because of the need for the Bureau of Labor Statistics, which compiles the CPI, to give adequate notice.

Dr. Janet L. Norwood, commissioner of the Bureau of Labor Statistics, will announce the change at a press conference. Neither Mrs. Norwood nor members of her staff would comment on the details of the announcement. But Labor Department officials and members of the Reagan administration supplied some of the details.

The administration, according to one official supports the change but left the decision up to Mrs. Norwood, who has the legal authority to change the index. Mrs. Norwood yesterday briefed top administration officials, including Treasury Secretary Donald T. Regan and Murray L. Weldenbaum, chairman of the Council of Economic Advisers.

The exact impact of the change is hard to assess. But officials acknowledged yesterday that the new measure, because it eliminates the distorting effects of interest rates and housing prices, would over time lead to smaller increases in the index than would otherwise have occurred.

The Bureau of Labor Statistics now publishes an experimental housing cost component, which is similar to the new housing cost measure to be announced today. Based on this experimental index the cost-of-living increases for Social Security recipients on July 1 would have been 10.3 percent, compared with the 11.2 percent increase based on the current index.

For an average Social Security recipient living alone, the average monthly benefit would have risen to \$370.29 with the 10.3 percent rise, instead of \$373.31, according to Social Security Administration figures. The saving for the government would have been over \$1 billion.

The millions of American workers whose wage increases are tied to movements of the CPI would also have had lower increases. While no numbers are available, the greatest impact of the new measure would be felt at times when there was a quick rise in mortgage interest rates and housing prices con-

tinued to rise. This is when the CPI has most overstated the rate of inflation and when, officials said, the new index would be significantly lower.

On the other hand, when mortgage interest rates are on the decline, the present CPI tends to understate the rate of inflation, which means, under the new system, cost-of-living increases would actually be higher than they would otherwise.

One of the other key impacts of the change will be on indexing of individual income tax brackets, starting in 1985. With lower rises in the CPI, the indexing of tax brackets would leave the government with slightly more revenue.

The basic change, for which the final details will be worked out over the next year, is that housing costs will be measured as if the owner were paying a rent. The rent would be based on the cost of operating a home, including property taxes, repairs, insurance, regular maintenance and other costs.

Critics of the current index, including the staff of the Bureau of Labor Statistics, have contended that including house prices and mortgage interest rates directly distorts the index because people do not buy houses every month. Critics have also argued housing price increases and the mortgage interest rates related to buying a house should be counted as an investment in an asset, not as a change—up or down—in the cost of shelter.

It is not clear how the bureau will calculate this rental equivalent, but their experimental measure is one step in that direction. The Bureau has funds in its 1982 budget for the design of a "rental-equivalence" component.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

ANNUAL REPORTS ON OCCUPATIONAL SAFETY AND HEALTH ACTIVITIES—MESSAGE FROM THE PRESIDENT—PM 87

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying reports; which was referred to the Committee on Labor and Human Resources:

To the Congress of the United States:
In accordance with Section 26 of the Occupational Safety and Health Act of 1970, I transmit herewith the 1980 annual report submitted by the Secretary of Health and Human Services, and the 1977, 1978, 1979, and 1980 annual reports submitted by the Secretary of Labor on occupational safety and health activities during the previous Administration.

RONALD REAGAN.
THE WHITE HOUSE, October 28, 1981.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HELMS, from the Committee on Agriculture, Nutrition, and Forestry, with an amendment and an amendment to the title: S. 1322. A bill to designate the United States Department of Agriculture Boll Weevil

Research Laboratory building, located on the campus of Mississippi State University, Starkville, Mississippi, as the "Robey Wentworth Harned Laboratory" (Rept. No. 97-255).

By Mr. HATFIELD, from the Committee on Appropriations, with amendments:

H.R. 4144. An act making appropriations for energy and water development for the fiscal year ending September 30, 1982, and for other purposes (Rept. No. 97-256).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. CHILES:

S. 1781. A bill for the relief of Ezekiel Trall Clemons; to the Committee on the Judiciary.

By Mr. WEICKER:

S. 1782. A bill to amend section 305 of the Federal Property and Administrative Services Act of 1949 pertaining to contract progress payments made by agencies of the Federal Government, providing for the elimination of retainage in certain instances, and for other purposes; to the Committee on Governmental Affairs.

By Mr. STENNIS:

S. 1783. A bill for the relief of Ashraf Mohammad and Shilu Mohammad; to the Committee on the Judiciary.

S. 1784. A bill for the relief of John Calvin Smith; to the Committee on the Judiciary.

By Mr. NUNN (for himself, Mr. CHILES, Mr. ROTH, Mr. RUDMAN, Mr. NICKLES, Mr. DECONCINI, Mr. STENNIS, Mr. JOHNSTON, Mr. PRYOR, Mr. HOLLINGS, and Mr. HATCH):

S. 1785. A bill to increase the penalties for violations of the Taft-Hartley Act, to prohibit persons, upon their convictions of certain crimes, from holding offices in or certain positions related to labor organizations and employee benefit plans, and to clarify certain responsibilities of the Department of Labor; to the Committee on Labor and Human Resources.

By Mr. TSONGAS:

S. 1786. A bill for the relief of Makoto Yabe and Yasuko Yabe; to the Committee on the Judiciary.

By Mr. ROBERT C. BYRD:

S. 1787. A bill to assure the American people that the administration's budget goals will be met, that the deficit for fiscal year 1982 will not exceed \$43,100,000,000, that the deficit will not exceed \$22,900,000,000 for fiscal year 1983, and that the budget will be balanced in fiscal year 1984, and to assure the representation of small business interests on the Board of Governors of the Federal Reserve System; to the Committee on Governmental Affairs.

By Mr. DECONCINI:

S. 1788. A bill to amend title 28, United States Code, to provide improved retirement benefits for bankruptcy judges, and for other purposes; to the Committee on the Judiciary.

By Mr. BOREN:

S.J. Res. 117. Joint resolution to authorize and request the President to designate the week of January 17, 1982, through January 23, 1982, as "National Jaycee Week"; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WEICKER:

S. 1782. A bill to amend section 305 of the Federal Property and Administrative

Services Act of 1949 pertaining to contract progress made by agencies of the Federal Government, providing for the elimination of retainage in certain instances, and for other purposes; to the Committee on Governmental Affairs.

SMALL BUSINESS CONTRACT PAYMENT PROCEDURES ACT

Mr. WEICKER. Mr. President, today I am introducing the Small Business Contract Payment Procedures Act of 1981, a bill to eliminate retainage for small business construction contractors under certain circumstances.

This bill, which is designed to benefit more than 100,000 small business contractors, would free up more than \$4 billion now sitting idle in Federal ledgers and make it available for investment in business growth and job creation.

Mr. President, this bill would not require the appropriation of a single penny from the U.S. Treasury. It would simply authorize the removal of redundant, duplicative and currently counterproductive restrictions on small construction firms in some situations.

Retainage is the practice of withholding a percentage of a construction contractor's progress payments pending satisfactory completion of all required contractual work. Generally, according to Federal procurement regulations the Government retains 10 percent of each progress payment on a construction job, although currently each contracting officer can eliminate or reduce the amount of retainage if the work is being completed in a satisfactory manner.

However, this is seldom the case, especially when a small firm is involved. My legislation would give statutory authority to a contracting officer to waive retainage if he determines the work is being performed satisfactorily and on schedule. The act would likewise eliminate the withholding of retainages from small business concerns, provided the firm first posts an adequate performance bond.

Mr. President, the impact of retainage on small business construction firms is staggering. According to a recent study of construction firms, conducted by the American Subcontractors Association, small contractors must cover an average of \$200,000 annually in outstanding retainages. Like the government late pay problems, the retainage situation causes severe cash flow problems for small firms. Specifically, by slowing the flow of money to those performing the work, retainage often delays construction and thus drives up costs due to inflation.

Contractors and subcontractors must borrow money—at today's high interest rates—to cover outstanding retainages and maintain an adequate cash flow. The cost is then factored into their bids and passed along to the end user. I need not point out that on government jobs, the end user is the American taxpayer.

In fact, it is a curious paradox that retainage today achieves exactly the opposite effect that it was initially designed to attain. Begun as a method to get con-

tractors to finish the job quickly, today retainage actually encourages delay.

With construction being performed by so many different subcontractors, the ones who complete the bulk of their work before the project is done have no incentive to finish the final details quickly because retainages are not released until the owner accepts the building. These subcontractors will instead commit their resources to concurrent projects where payment can be expected.

However, in my opinion, one of the most unfortunate aspects of retaining a portion of a contractor's payments to insure adequate performance is that it is duplicative of other standard contracting procedures. For many years now, contractors and subcontractors have been required to take out performance bonds to guarantee completion of their work.

Retainage then, is an unneeded double protection which hurts contractors and subcontractors, yet which affords no extra assurance to the Government's interests.

Mr. President, this legislation will benefit small business contractors and subcontractors, who have a real need for more capital to finance improved productivity and increased growth. Therefore, I urge expeditious consideration of the Small Business Contract Payment Procedures Act of 1981.

By Mr. NUNN (for himself, Mr. CHILES, Mr. ROTH, Mr. RUDMAN, Mr. NICKLES, Mr. DECONCINI, Mr. STENNIS, Mr. JOHNSTON, Mr. PRYOR, Mr. HOLLINGS, and Mr. HATCH):

S. 1785. A bill to increase the penalties for violations of the Taft-Hartley Act, to prohibit persons, upon their convictions of certain crimes, from holding offices in or certain positions related to labor organizations and employee benefit plans, and to clarify certain responsibilities of the Department of Labor; to the Committee on Labor and Human Resources.

LABOR MANAGEMENT RACKETEERING ACT OF 1981

Mr. NUNN. Mr. President, on behalf of myself and Senators CHILES, ROTH, RUDMAN, NICKLES, DECONCINI, STENNIS, JOHNSTON, PRYOR, HOLLINGS, and HATCH, I am today reintroducing the provisions of S. 1163, the Labor Racketeering Act of 1981. S. 1163 was originally introduced by me on May 12, 1981, and was designed to help ease the problems of corruption on the Nation's waterfront. Since introducing S. 1163 in May, we have consulted with many groups both inside and outside of Government. We have received many recommendations and suggestions to clarify and tighten S. 1163. The bill which I am introducing today contains all of the essential provisions of S. 1163, but with what we believe to be substantial improvements which represent the views and input of all parties.

The technical changes we are making have no substantive effect on the provisions of S. 1163. The main provisions of that bill remain intact in this bill. Those main provisions are:

First, making the Taft-Hartley Act a felony for all violations involving \$1,000 or more;

Second, requiring immediate removal upon conviction of an individual convicted of enumerated crimes and crimes relating to his official position;

Third, broadening the definition of the types of positions an individual is barred from upon conviction of enumerated crimes;

Fourth, increasing the time of disbarment from 5 to 10 years;

Fifth, escrowing a convicted official's salary for the duration of his appeal, in case the conviction is reversed; and

Sixth, clarifying the jurisdiction of the Department of Labor with respect to its responsibility for detecting and investigating criminal violations relating to ERISA.

The changes made in S. 1163 which are incorporated into this new bill are, as I said, largely technical. Section 3 of S. 1163 is changed in the following way. That bill calls for the immediate removal of any person who has been convicted of any felony or any other crime, including misdemeanors, which involve the use or misuse of that person's labor union or employee benefit plan affiliation.

We have altered that language by enumerating the particular officeholders subject to this provision, and by leaving the lists of disqualifying crimes now in 29 U.S.C. 504 and 29 U.S.C. 1111 as they are presently written. We have added to the end of the list of crimes a catch-all phrase requiring removal if the individual is convicted of any Federal or State felony involving abuse or misuse of his official position.

In S. 1163, in sections 3 and 7, are lists of nine positions which an individual is prohibited from holding if he has been convicted of an enumerated crime. We believe that several of these positions were overly broad and as such might have caused problems such as inhibiting the payment of union pensions or even prohibiting union membership. This new bill contains a subsection replacing the original list with what we feel is a description more accurately reflecting the type of positions we intend an individual to be barred from.

The main change was in the last sentence which stated:

No person shall knowingly permit any other person to serve in any capacity in violation of this section.

It has been brought to our attention that the word "permit" may inadvertently be construed by a court to mean that union officials who deal with a disbarred individual hired by a private entity may have some responsibility or criminal liability and alternatively employers who deal with disbarred union officials may have some criminal liability for their dealings.

We therefore reworded the last sentence to read:

No person shall knowingly hire, retain, employ, or otherwise place any other person

to serve in any capacity in violation of this section.

This more accurately places the burden on the entity or individuals who actually employ persons who have been disqualified by virtue of a conviction.

This bill also contains some minor corrections of typographical errors we found in S. 1163 and which I will not enumerate here.

On October 28 and 29 the Senate Permanent Subcommittee on Investigations will conduct hearings during which we hope to hear the views of the Labor Department and the AFL-CIO on this bill. We are hopeful that we may gain their support for its swift passage by this Congress. It is imperative that Congress itself act swiftly to halt the growing corruption on our waterfronts. This bill is a significant step in that direction. It should serve as a signal to organized crime and corrupt union leaders that the American public will no longer tolerate their manipulation of our waterfront economy for criminal ends.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1785

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be referred to as the "Labor Management Racketeering Act of 1981".

SEC. 2. Subsection (d) of section 186 of title 29, United States Code, as amended, is amended to read as follows:

"(d) (1) Any person who willfully violates any of the provisions of subsection (a) or (b) of this section shall, upon conviction thereof, be guilty of a felony and be subject to a fine of not more than \$15,000, or imprisoned for not more than five years, or both; but if the value of the amount of money or thing of value involved in violation(s) of the provisions of this section does not exceed \$1,000, he shall be guilty of a misdemeanor and be subject to fine of not more than \$10,000, or imprisoned for not more than one year, or both."

SEC. 3. Subsection (a) of section 1111 of Title 29, United States Code, as amended, is amended by adding the following after "No person" and before "who has been convicted":

"who is an administrator, fiduciary, officer, trustee, custodian, counsel, agent, employee or representative in any capacity of any employee benefit plan or who provides goods or services or who is a consultant or advisor to any employee benefit plan."

SEC. 4. Subsection (a) of section 1111 of Title 29, United States Code, as amended, is amended by adding the following after "the Labor-Management Reporting and Disclosure Act of 1959":

"or any other felony involving abuse or misuse of such person's labor organization or employee benefit plan position or employment; or conspiracy to commit any such crimes; or attempt to commit any such crimes, or a crime in which any of the foregoing crimes is an element, shall serve or be permitted to serve:

"(1) as an administrator, fiduciary, officer, trustee, custodian, counsel, agent, employee,

or representative in any capacity of any employee benefit plan,

"(2) as a consultant or adviser to any labor organization or employee benefit plan,

"(3) as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, employee, or representative in any capacity of any labor organization,

"(4) as a labor relations consultant or adviser to a person engaged in an industry or activity affecting commerce, or as an officer, director, agent, or employee of any group or association of employers dealing with any labor organization,

"(5) in a position which entitles its occupant to a share of the proceeds of, or as an officer or executive or administrative employee of, any entity whose activities are in whole or substantial part devoted to providing goods or services to any labor organization or employee benefit plan, or

"(6) in any capacity that involves decision-making authority or custody or control of the moneys, funds, assets or property of any labor organization or employee benefit plan during or for ten years after such conviction or after the end of imprisonment on such conviction, whichever is the later, unless prior to the end of such ten-year period, in the case of a person so convicted or imprisoned, (A) his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the United States Parole Commission determines that such person's service in any capacity referred to in paragraph (1) through (6) would not be contrary to the purposes of this subchapter. Prior to making any such determination the Commission shall hold an administrative hearing and shall give notice to such proceedings by certified mail to the Secretary of Labor and to State, county, and Federal prosecuting officials in the jurisdiction or jurisdictions in which such person was convicted. The Commission's determination in any such proceeding shall be final. No person shall knowingly hire, retain, employ or otherwise place any other person to serve in any capacity in violation of this section."

SEC. 5. Subsection (b) of section 1111 of title 29, United States Code, as amended, is amended as follows:

"(b) Any person who intentionally violates this section shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both."

SEC. 6. Subsection (c) of section 1111 of title 29, United States Code, as amended, is amended to read as follows:

"(c) For the purpose of this section:

"(1) A person shall be deemed to have been 'convicted' and under the disability of 'conviction' from the date of the judgment of the trial court, regardless of whether that judgment remains under appeal.

"(2) The term 'consultant' means any person who, for compensation, advises, or represents a labor organization or an employee benefit plan or who provides other assistance to such organization or plan, concerning the establishment or operation of such organization or plan.

"(3) A period of parole shall not be considered as part of a period of imprisonment."

SEC. 7. Section 1111 of title 29, United States Code, as amended, is amended by adding at the end thereof the following:

"(d) Where any person, by operation of this section, has been barred from office or other position in a labor organization or employee benefit plan as a result of a conviction, upon the filing of an appeal of that conviction, any salary which would be otherwise due him by virtue of said office or position, shall be placed in escrow by the individual

or organization responsible for payment of said salary. Payment of said salary into escrow shall continue for the duration of the appeal or for the period of time during which said salary would be otherwise due, whichever period is shorter. Upon the final reversal of said person's conviction on appeal, the amounts in escrow shall be paid to him. Upon the final sustaining of that person's conviction on appeal, the amounts in escrow shall be returned to the individual or organization who was responsible for payments of those amounts. Upon final reversal of said person's conviction, said person shall no longer be barred by this statute from assuming any position said person was previously barred from."

SEC. 8. Subsection (a) of section 504 of Title 29, United States Code, as amended, is amended by adding the following after "or a violation of subchapter III or IV of this chapter:"

"or any other felony involving abuse or misuse of such person's labor organization or employee benefit plan position or employment; or conspiracy to commit any such crimes, shall serve or be permitted to serve:

"(1) as an administrator, fiduciary, officer, trustee, custodian, counsel, agent, employee or representative in any capacity of any employee benefit plan,

"(2) as a consultant or adviser to any labor organization or employee benefit plan,

"(3) as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, employee, or representative in any capacity of any labor organization,

"(4) as a labor relations consultant or adviser to a person engaged in an industry or activity affecting commerce, or as an officer, director, agent, or employee of any group or association of employers dealing with any labor organization,

"(5) in a position which entitles its occupant to a share of the proceeds of, or as an officer or executive or administrative employee of, any entity whose activities are in whole or substantial part devoted to providing goods or services to any labor organization or employee benefit plan, or

"(6) in any capacity that involves decision-making authority or custody or control of the moneys, funds, assets or property of any labor organization or employee benefit plan during or for ten years after such conviction or after the end of such imprisonment, whichever is later, unless prior to the end of such ten-year period, in the case of a person so convicted or imprisoned, (A) his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the United States Parole Commission determines that such person's service in any capacity referred to in clause (1) through (6) would not be contrary to the purposes of this chapter. Prior to making any such determination the Commission shall hold an administrative hearing and shall give notice of such proceeding by certified mail to the Secretary of Labor and to State, county, and Federal prosecuting officials in the jurisdiction or jurisdictions in which such person was convicted. The Commission's determination in any such proceeding shall be final. No person shall knowingly hire, retain, employ, or otherwise place any other person to serve in any capacity in violation of this section."

SEC. 9. Subsection (b) of section 504 of title 29, United States Code, as amended, is amended to read as follows:

"(b) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned for not more than five years, or both."

SEC. 10. Subsection (c) of section 504 of title 29, United States Code, as amended, is amended to read as follows:

"(c) For the purpose of this section:

"(1) A person shall be deemed to have been 'convicted' and under the disability of 'conviction' from the date of the judgment of the trial court, regardless of whether that judgment remains under appeal.

"(2) The term 'consultant' means any person who, for compensation, advises, or represents a labor organization or an employee benefit plan or who provides other assistance to such organization or plan, concerning the establishment or operation of such organization or plan.

"(3) A period of parole shall not be considered as part of a period of imprisonment."

SEC. 11. Section 504 of title 29, United States Code, as amended, is amended by adding at the end thereof the following:

"(d) Where any person, by operation of this section, has been barred from office or other position in a labor organization or employee benefit plan as a result of a conviction, upon the filing of an appeal of that conviction, any salary which would be otherwise due him by virtue of said office or position, shall be placed in escrow by the individual employer or organization responsible for payment of said salary. Payment of said salary into escrow shall continue for the duration of the appeal or for the period of time during which said salary would be otherwise due, whichever period is shorter. Upon the final reversal of said person's conviction on appeal, the amounts in escrow shall be paid to him. Upon the final sustaining of that person's conviction on appeal, the amounts in escrow shall be returned to the individual employer or organization who was responsible for payments of those amounts. Upon final reversal of said person's conviction, said person shall no longer be barred by this statute from assuming any position said person was previously barred from."

SEC. 12. The title of section 1136 of title 29, United States Code, is amended to read as follows:

"§ 1136. Coordination and responsibility of agencies enforcing ERISA and related Federal laws."

SEC. 13. The first full paragraph of section 1136 of title 29, United States Code, is amended by adding the following at the beginning of said paragraph:

"(a) COORDINATION WITH OTHER AGENCIES AND DEPARTMENTS.—"

SEC. 13. Section 1136 of title 29, United States Code, is amended by adding the following subsection after subsection (a):

"(b) RESPONSIBILITY FOR DETECTING AND INVESTIGATING CIVIL AND CRIMINAL VIOLATIONS OF ERISA AND RELATED FEDERAL LAWS.—The Secretary shall have the responsibility and authority to detect and investigate civil and criminal violations related to the provisions of this subchapter and other related Federal laws, including but not limited to the detection, investigation, and appropriate referrals of related violations of title 18 of the United States Code. Nothing in this subsection shall be construed to preclude other appropriate Federal agencies from detecting and investigating civil and criminal violations of this subchapter and other related Federal laws."●

By Mr. ROBERT C. BYRD:

S. 1787. A bill to assure the American people that the administration's budget goals will be met, that the deficit for fiscal year 1982 will not exceed \$43,100,-

000,000, that the deficit will not exceed \$22,900,000,000 for fiscal year 1983, and that the budget will be balanced in fiscal year 1984, and to assure the representation of small business interests on the Board of Governors of the Federal Reserve System, to the Committee on Governmental Affairs.

FISCAL PRUDENCE AND SMALL BUSINESS REPRESENTATION ACT OF 1981

Mr. ROBERT C. BYRD. Mr. President, last week, this Nation passed an historic milestone when the national debt crossed the \$1 trillion mark. This is not a milestone of pride, and it is certainly an event which must be met with action by the Congress. For that reason, I am introducing a bill to assure the people of this Nation that the Federal Government will act in a fiscally prudent manner, and that the Federal Reserve Board will adequately represent the small businessmen, farmers, and homebuyers who are the bulwark of our economy.

The bill directs the Office of Management and Budget to spell out the budget cuts and tax increases it believes are necessary to keep the fiscal year 1982 deficit at or below its target of \$43.1 billion, the fiscal year 1983 deficit at or below its target of \$22.9 billion, and to balance the budget by fiscal year 1984.

The financial markets and the citizens of this country have been needlessly confused and worried by the "unidentified savings" and other accounting devices used to keep budget projections on target. The Government must level with the people if it expects them to invest their savings. The Government must tell the American people exactly how it intends to meet the budget goals announced.

The other part of this bill directs the President to appoint a small business representative to fill the first vacancy on the Federal Reserve Board. Press accounts say that the administration has not decided whether to appoint a theoretical economist or a banker to the Board next January. I believe there is already enough representation of those professions on the Board. Certainly, we need a person who thoroughly understands the financial markets, but it is time we look to the small business or farming communities for a knowledgeable representative on the Federal Reserve Board of Governors.

Recently, during discussion of my amendment to the social security minimum benefits bill, my good friend, the Senator from Kansas (Mr. DOLE) asked why we should expect the administration to lock itself into budget cuts 3 years in advance. I sympathize with my friend's concern that behind all that blue smoke of "unidentified savings" lies the painful reality of sharp budget cuts and tax increases. My bill seeks to sweep away the blue smoke, no matter how harsh the clear light of day may seem.

I know, from watching the market's reaction this year, that investors, savers, and workers are not deluded by equivocation, they are only confused. Business

inventories go up a little one month, and drop a little the next month; investment plans drop a little one quarter, rise a little the next quarter, and remain flat the following quarter. There is confusion about what we plan to do over the next few years. The investor sees a profusion of paper cuts, of "undistributed savings," "unidentified savings," "across-the-board cuts," and so forth. David Stockman asked this Congress to pass the largest multiyear tax cut bill in history, and Congress responded by giving him detailed, firm cuts. Now, we only ask, for the good of the American people, that he respond in kind, by giving us detailed spending cuts and tax increase proposals. He set the \$43.1 billion 1982 deficit figure, although the original projected deficit has grown several times to get there. He set the \$22.9 billion 1983 figure. He set the balanced budget goal in 1984.

Public confusion about administration budget goals was made even greater recently when administration economists testified before the Senate Budget Committee that, "the tax cut could be too large" and they were "all coming to the recognition that the deficit isn't going to evaporate rapidly." It is time to move out of the smoke and clouds and into the light of day. We only ask that he tell us how these goals will be reached. Is that too much?

Recently, the automobile dealers, homebuilders, and realtors of our Nation began a campaign to make Congress aware that small businessmen, farmers, and consumers need help soon. Policies of blind monetary restraint and ballooning Federal deficits combine to squeeze off the investment, spending, and initiative that we need to get America back on the road to economic recovery.

Yale professor James Tobin, who was recently awarded the Nobel Prize for Economics, said that relying solely on monetary policy to stem inflation indicates a willingness to—

Accept whatever kind of damage this does to the real economy in terms of unemployment, low production, recession, low investment and so on in the hope that in time . . . enough businessmen will be like Chrysler—desperate for selling something, that they will begin to slow down . . . price increases."

A recent advertisement paid for by the automobile dealers, homebuilders, and realtors associations agreed with Professor Tobin's analysis, saying that—

The Administration, the Congress, the Federal Reserve Board can no longer ask the public to accept the economic hardships resulting from the devastating cost of money.

I am introducing this bill because I believe it is time for Congress to line up with the small businessmen, consumers, and farmers of this Nation, and vote to bring fiscal prudence to Government, and adequate representation of small businesses to the Federal Reserve Board, before it is too late. I urge my colleagues to join me in this effort.

I ask unanimous consent that a letter from the National Association of Home Builders endorsing the bill, a special report prepared by the Democratic Policy Committee staff on the administration's

"Unidentified" cuts, and a copy of the bill be printed in full in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1787

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fiscal Prudence and Small Business Representation Act of 1981".

SEC. 2. (a) The purpose of this section is to assure the American people that the deficit for fiscal year 1982 will not exceed \$43,100,000,000, that the deficit for fiscal year 1983 will not exceed \$22,900,000,000, and that outlays will not exceed revenues by the first day of fiscal year 1984.

(b) Not later than November 15, 1981, the Director of the Office of Management and Budget shall prepare and transmit to the Congress a full and complete list of all reductions in budget authority and outlays and increases in revenues for fiscal years 1982, 1983, and 1984 which he determines would be necessary to meet the President's objective that the deficit for fiscal year 1982 not exceed \$43,100,000,000, that the deficit for fiscal year 1983 not exceed \$22,900,000,000, and that outlays not exceed revenues by the first day of fiscal year 1984. In preparing the list required by the preceding sentence, the Director shall only utilize categories of reductions in budget authority and outlays which explicitly specify the programs and appropriation accounts in which such reductions are to be made, the exact amount of such reductions, and the provisions of law with respect to the entitlement programs which must be changed in order to carry out such reductions.

SEC. 3. The President shall nominate an individual whose background is nonbanking, but who is representative of small business to fill the first vacancy occurring on the Board of Governors of the Federal Reserve System after the date of enactment of this Act.

NATIONAL ASSOCIATION OF HOME BUILDERS,
Washington, D.C., October 26, 1981.
Hon. ROBERT C. BYRD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BYRD: On behalf of the more than 123,000 members of the National Association of Home Builders (NAHB), I am writing to offer our strong support for the bill you will introduce concerning the Federal deficit and small business representation on the Federal Reserve Board. We believe that passage of this bill is vital to address the problem of high interest rates and their devastating impact on housing.

The housing industry is in the 34th month of a depression. Housing starts for 1981 are now forecast to be only 1.06 million—a 19.2 percent drop from 1980. By the end of the year, we anticipate that there will be one million construction workers unemployed. And failure rates among contractors are up dramatically over last year. Clearly Congress should take positive action before there is irreparable damage to the housing industry and the homeownership opportunities of America's potential homebuyers.

The provision in your bill which would require OMB to prepare a full list of proposed reductions in budget outlays and increases in revenues for fiscal years 1982, 1983 and 1984, would be of critical assistance to Congress in their effort to cut Federal spending such that the deficit for 1982 will not exceed \$43 billion. A larger deficit will only mean increased Government borrowing and, most likely, even higher interest rates. Small business representation on the Federal Reserve Board, as provided in your bill, would

offer an alternative view to the present tight money policy of the Fed. For most of this year, the Fed's actions have restrained the growth of the money supply to levels even lower than their own targets.

We would urge expeditious action by the Senate on this bill.

Sincerely,

HERMAN J. SMITH,
President.

THE ADMINISTRATION'S "UNIDENTIFIED"
CUTS—HISTORY OF "UNIDENTIFIED" CUTS
MARCH BUDGET

On March 10, 1981, President Reagan submitted the Fiscal Year 1982 Budget Revisions to Congress. This was the President's initial budget, which set out the cuts from the Carter budget and was to serve as the spending side of the "Economic Recovery Plan."

Table 20 on page 127 of the first Reagan budget submission sets out on a line labeled "Additional savings to be proposed" a cut of \$-29.8 billion in FY 1983 and \$-44.2 billion in FY 1984.

JULY BUDGET

On July 15, 1981, the Executive Office of the President, Office of Management and Budget released the Mid-Session Review of the 1982 Budget. This is a mid-year review of the budget required by Section 602 of the Congressional Budget and Impoundment Control Act of 1974.

Table 23 on page 77 of the Mid-Session Review has a line entitled "Contingencies and additional savings to be proposed (net)" which sets out a cut of \$-29.8 billion in FY 1983 and \$-44.2 billion in FY 1984. These "unidentified" cuts are the same amounts as those identified in the initial March Reagan budget.

In the same July document, the Administration identified assumptions of savings of \$-19.6 billion over the FY 1982-84 period from reforms in Social Security. On the first page, in the section dealing with Social Security (fifth paragraph), it is stated, "Further cuts will be identified in future budgets."

SEPTEMBER BUDGET

On September 24, 1981, the White House, Office of the Press Secretary, released a Fact Sheet, Fall Budget Program. This is the factual budget document that accompanied the President's September speech on further budget cuts.

On page 6 of that document, there is the following:

B. Expected Effect of New Actions.

The specific new budget savings measures—reducing 1982 Appropriations requests, reforming entitlements, and revising the tax codes—would reduce expected deficits by \$16.0 billion in FY 1982, \$28.3 billion in FY 1983, and \$35.3 billion in FY 1984. The remaining savings needed to achieve the President's overall targets—\$11.7 billion in FY 1983 and \$23.0 billion in FY 1984—will be specified in upcoming budgets: The FY 1983 budget is now being developed and will be presented to the Congress in January.

More "unidentified" cuts are set out for FY 1983, —\$11.7 billion and for FY 1984, —\$23 billion. The language makes it clear that these additional "unidentified" cuts must be made in order to balance the budget in FY 1984.

The first paragraph on page 6 claims that the \$74 billion (—\$30 billion in FY 1983 and —\$44 billion in FY 1984) set out as "unidentified" cuts in March and July has been allocated to Departments and agencies.

However, the allocated reduction is not specified. It is to be submitted to Congress in the FY 1983 budget in January:

Allocating to departments and agencies the full \$74 billion in previously unspecified budget savings for FY 1983 and FY 1984. These tight new outlay ceilings will be used by agencies in preparing their proposals for the FY 1983 budget to be submitted to the Congress in January.

On page 5 of the September Fact Sheet, savings of —\$2.6 billion in FY 1982, —\$10 billion in FY 1983, and —\$15 billion in FY 1984 are claimed from an entitlement reform package. However, while the package is supposed to be presented to Congress in the near future, we have not yet received any of the details and, therefore, the amounts remain "unidentified" cuts.

Section A on page 3 of the September Fact Sheet, when referring to the July estimates, uses the heading "Unspecified savings needed to achieve above outlay targets." These are the same cuts used for FY 1983 and FY 1984 in the July and March submissions:

A. MID-SESSION ESTIMATES—JULY 1981

(In billions of dollars)

	Fiscal year—		
	1982	1983	1984
Receipts.....	662.4	705.8	795.0
Outlays.....	704.8	728.7	753.5
Surplus or deficit.....	-42.5	-22.9	+4.5
Unspecified savings needed to achieve above outlay targets.....	0	29.8	44.2

Source: September "Fact Sheet."

Section C which appears on page 4 of the September Fact Sheet sets out "Future savings to be identified." The amounts shown are \$—11.7 million for 1983 and \$—23 billion for FY 1984.

These "unidentified" cuts are in addition to new September cuts of \$16.0 billion in FY 1982, \$28.3 billion in FY 1983, and \$35.8 billion in FY 1984:

C. The Latest Estimates—September 1981.
As a result of these recent developments, we face large potential budget gaps unless strong new measures are taken. Those gaps and the outlook if action is taken are as follows:

(In billions of dollars)

	Fiscal year—		
	1982	1983	1984
Potential budget gap.....	-59.1	-62.9	-53.8
New savings proposals.....	16.0	28.3	35.8
Future savings to be identified.....	0	11.7	23.0
Target deficits.....	43.1	22.9	0

Source: September "Fact Sheet."

SUMMARY OF UNIDENTIFIED CUTS

(In billions of dollars)

	Fiscal year—	
	1983	1984
Mar. 10, 1981: (1) Included unidentified cuts.....	-29.8	-44.2
July 15, 1981:		
(1) Restated unidentified cuts.....	(-29.8)	(-44.2)
(2) Assumed social security cuts.....	(-5.8)	(-10.0)
Sept. 24, 1981:		
(1) Social security cuts disappeared.....	(+5.8)	(+10.0)
(2) Claimed to allocate previously unidentified cuts but no detail shown.....	(29.8)	(44.2)
(3) More unidentified cuts.....	-11.7	-23.0
(4) Future entitlement reform.....	-10.0	-15.0
Total unidentified cuts.....	-51.5	-82.2

By Mr. DeCONCINI:

S. 1788. A bill to amend title 28, United States Code, to provide improved retirement benefits for bankruptcy judges, and for other purposes; to the Committee on the Judiciary.

BANKRUPTCY JUDGES' RETIREMENT ACT OF 1981

O Mr. DeCONCINI. Mr. President, I am introducing a bill to amend the retirement system for U.S. bankruptcy judges that will reflect the importance and status of these judges in our Federal judicial system.

In 1978, the structure and jurisdiction of our bankruptcy courts was vastly upgraded. At that time, several retirement system alternatives were discussed before the present system was finally adopted. The present system represents a modest increase over the pre-1978 system, but still is not reflective of the responsibility and workload of the Nation's corps of bankruptcy judges.

An upgraded retirement system for bankruptcy judges is not only just and proper, but it will inevitably make the position of bankruptcy judges attractive to men and women of high quality. Bankruptcy courts, like it or not, are a significant aspect of our Federal judicial system, and require persons of the highest quality to adequately serve the litigants before it. During the past fiscal year, there were approximately 500,000 bankruptcy filings, which means that several million additional people felt the impact of decisions of the bankruptcy court.

The bill creates the following eligibility formula for bankruptcy judges' retirement: The judge may retire at age 70 after 10 years of service, at age 65 after 15 years, if not reappointed after a term expires and 14 years service, and at any time if permanently disabled.

The amount of retirement compensation reflects a different evaluation of years' service before the enactment of the Code, and years' service thereafter. The basic retirement system under S. 1788 will give a bankruptcy judge one-fourteenth of the salary of the office for each year that he has served as a bankruptcy judge after September 30, 1979— which date corresponds with the effective date of the expanded judicial functions set forth in the new Bankruptcy Code—and one twenty-eighth of the salary of the office for each year served before October 1, 1979. This system compares with the U.S. Tax Court retirement system, under which judges receive retirement pay at a ratio of 1 to 10, rather than 1 to 14, for years of service.

In dollar terms, assuming a bankruptcy judge's salary remains at \$53,500, a judge with no other creditable service in the military or civil service, with 15 years of pre-Code bankruptcy judge service and 5 years post-Code service, would be eligible to retire in 1984—(assuming such judges meet applicable age or nonreappointment provisions of the bill—at 25/28—approximately 90 percent of \$53,500 which is just over \$47,000 per annum. This compares to the approximately \$19,400 which they would have received had the pre-Code

retirement formula been retained, or approximately \$23,400 they would receive under the existing retirement formula.

Beginning April 1, 1984, bankruptcy judges will be appointed by the President, with the advice and consent of the Senate, for a 14-year term. Like all Federal judges, judges appointed to the U.S. Bankruptcy Court should be persons of maturity, experience and ability. The inadequacy and inequity of the present retirement system—and the absence of a retirement system in 1984—will severely limit the availability of qualified persons to serve on the bankruptcy court. This will be particularly true in attempting to attract appointees from the private sector, where midcareer attorneys would be required to accept a large reduction in compensation upon appointment. An adequate retirement plan is equally important in retaining high-caliber individuals on the bench.

A similar problem concerning adequate retirement system exists for other non-article III Federal courts, namely, magistrates, Commissioners of the Court of Claims, and judges of the Court of Military Appeals. I hope the bill I am introducing today on behalf of the bankruptcy judges, will also serve as a catalyst for discussion and action on the retirement needs of our other Federal judicial officials who are equally worthy.

I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1788

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Bankruptcy Judges' Retirement Act of 1981".

Sec. 2. (a) Section 376(a)(1) of title 28, United States Code, is amended—

(1) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively.

(2) by inserting after subparagraph (B) the following new subparagraph:

"(C) a bankruptcy judge continued in office by section 404(b) of the Act of November 6, 1978 (Public Law 95-598; 92 Stat. 2683);"

"(3) by striking out "or" before "(iii)", and

(4) by inserting before the semicolon at the end thereof ", or (iv) in the case of a bankruptcy judge continued in office by section 404(b) of the Act of November 6, 1978 (Public Law 95-598; 92 Stat. 2683), the date of the enactment of the Bankruptcy Judges' Retirement Act of 1981".

(b) Section 376(a)(2) of title 28, United States Code, is amended—

(1) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively, and

(2) by inserting after subparagraph (B) the following new subparagraph:

"(C) in the case of a bankruptcy judge, salary paid after retirement from office under section 377(a) of this title;"

(c) The Act of November 6, 1978 (Public Law 95-598; 92 Stat. 2549), is amended by striking out section 211.

Sec. 3. (a) Chapter 17 of title 28, United States Code, is amended by adding at the end thereof the following new section:

§ 377. Bankruptcy judges

"(a)(1) Any bankruptcy judge may retire after attaining the age of seventy years and after serving as a bankruptcy judge for at least ten years.

"(2) Any bankruptcy judge may retire after attaining the age of sixty-five years and after serving as a bankruptcy judge for at least fifteen years.

"(3) Any bankruptcy judge who is not reappointed following the expiration of the term of office of such judge may retire upon completion of such term, if—

"(A) such judge serves as a bankruptcy judge for at least fourteen years, and

"(B) such judge advises the President in writing that such judge is willing to accept reappointment to the bankruptcy court, not earlier than nine months preceding the date of the expiration of the term of office of such judge and not later than six months preceding such date.

"(4) Any bankruptcy judge who becomes permanently disabled from performing the duties of the office shall retire.

"(b) Notwithstanding subsection (a)(3) (A) of this section, a bankruptcy judge continued in office by section 404(b) of the Act of November 8, 1978 (Public Law 95-598; 92 Stat. 2683), who is not reappointed after March 31, 1984, shall be eligible to retire under subsection (a)(3) of this section and to receive retirement pay under subsection (c) of this section if such judge—

"(1) continues in service until March 31, 1984, or after such date and until such judge's successor takes office,

"(2) satisfies the requirements of subsection (a)(3) of this section, other than subparagraph (A), and

"(3) (A) attains the age of sixty years, (B) attains the age of fifty-five years and services at least ten years in the aggregate as a bankruptcy judge, or

"(c) (1) A bankruptcy judge who elects under subsection (d) of this section to receive retirement pay under this subsection and who retires under paragraph (1), (2), or (3) of subsection (a) of this section shall receive retirement pay for any period at a rate equal to the product of—

"(A) the salary payable to a bankruptcy judge for such period, and

"(B) the sum of—
 "(1) the number of years the bankruptcy judge who so elects serves as a bankruptcy judge before October 1, 1979, divided by twenty-eight, and

"(2) the number of years the bankruptcy judge who so elects serves as a bankruptcy judge after September 30, 1979, divided by fourteen,

except that the rate of such retirement pay shall not exceed the salary payable to a bankruptcy judge for such period.

"(2) A bankruptcy judge who elects under subsection (d) of this section to receive retirement pay under this subsection and retires under subsection (a)(4) of this section shall receive retirement pay for any period at a rate—

"(A) equal to the rate of the salary payable to a bankruptcy judge for such period if before such retirement the bankruptcy judge who so elects serves as a bankruptcy judge not less than ten years, or

"(B) equal to 50 per centum of the rate of the salary payable to a bankruptcy judge for such period if before such retirement the bankruptcy judge who so elects serves as a bankruptcy judge less than ten years.

"(3) (A) Such retirement pay shall begin to accrue on the day following the day on which such judge's salary as a bankruptcy judge ceases to accrue, and shall continue to accrue during the remainder of the life of such judge.

"(B) Retirement pay under this section shall be paid in the same manner as the salary of a bankruptcy judge.

"(4) In computing the rate of retirement pay under this subsection, that portion of the aggregate number of years of service which is a fractional part of one year shall be eliminated if it is less than six months, or shall be counted as a full year if such part equals or exceeds six months.

"(d) (1) A bankruptcy judge may elect to receive retirement pay under subsection (c) of this section by filing notice of such election in writing with the Director of the Administrative Office of the United States Courts. The Director shall transmit to the Office of Personnel Management a copy of each notice filed under this paragraph.

"(2) Such election may be made by a bankruptcy judge only during such judge's term of office or on the day on which such judge's successor takes office.

"(e) In the case of any bankruptcy judge who files an election pursuant to subsection (d) of this section to receive retirement pay under subsection (c) of this section—

"(1) no annuity or other payment, except as provided in paragraph (3) of this subsection, shall be payable to such judge under the civil service retirement laws with respect to any service performed by such judge (whether performed before or after such election is filed and whether performed as a bankruptcy judge or otherwise),

"(2) no deduction for purposes of the Civil Service Retirement and Disability Fund shall be made from retirement pay payable to such judge under subsection (c) of this section or from any other salary, pay, or compensation payable to such judge, for any period during which such election is in effect, and

"(3) such judge shall be paid the lump-sum credit computed under section 8331(8) of title 5 of the United States Code upon making application therefore with the Office of Personnel Management.

"(f) (1) A bankruptcy judge who desires to retire under subsection (a)(4) of this section before April 1, 1984, shall furnish to the Director of the Administrative Office of the United States Courts a certificate of disability signed by the chief judge of the circuit in which such bankruptcy judge is serving.

"(2) A bankruptcy judge who desires to retire under subsection (a)(4) of this section after March 31, 1984, shall furnish to the President a certificate of disability signed by such chief judge.

"(g) (1) A bankruptcy judge who files an election under subsection (d) of this section to receive retired pay under subsection (c) of this section may revoke such election at any time before the first day on which retirement pay would begin to accrue with respect to such judge but for such revocation.

"(2) Any revocation under this subsection of an election shall be made by filing notice of such revocation with the Office of Personnel Management. The Office of Personnel Management shall transmit to the Director of the Administrative Office of the United States Courts a copy of each notice filed under this paragraph.

"(3) In the case of a bankruptcy judge who revokes under this subsection an election made under subsection (d) of this section—

"(A) for purposes of this section, such judge shall be treated as not having filed such election, and

"(B) for purposes of section 376 of this title—

"(1) such judge shall be treated as not having filed an election under subsection (a)(1) of such section,

"(ii) subsection (g) of such section shall not apply with respect to such judge, and the amount credited to such judge's account under subsection (e) of such section, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31, of each year to the date on which the revocation is filed, shall be returned to such judge, and

"(C) (i) for purposes of the civil service retirement laws, no credit shall be allowed for service as a bankruptcy judge unless with respect to such service such judge deposits in the Civil Service Retirement and Disability Fund the amount required by the civil service retirement laws, and

"(ii) if such judge deposits the amount so required, then the Administrative Office of the United States Courts shall deposit in the Civil Service Retirement and Disability Fund an amount equal to the amount it would have contributed to such Fund but for the effectiveness of the election made by such judge under subsection (d) of this section to receive retirement pay under subsection (c) of this section. Upon such deposit, service as a bankruptcy judge shall be treated as service with respect to which deductions and contributions had been made during the period of such service.

"(h) (1) A bankruptcy judge who elects under subsection (d) of this section to receive retirement pay under subsection (c) of this section, with respect to whom such election is in effect, and who after such election—

"(A) accepts civil office or employment by the United States, other than the performance of judicial duties pursuant to section 294 of this title, or

"(B) performs, supervises, or directs the performance of, legal or other professional services in connection with a case under title 11, United States Code,

shall forfeit all rights to retirement pay under this section for all periods beginning on or after the first day on which such judge accepts such office or employment, or engages in any activity described in subparagraph (B).

"(2) Paragraph (1) of this subsection shall not apply to a bankruptcy judge continued in office by section 404(b) of the Act of November 6, 1978 (Public Law 95-598; 92 Stat. 2683), who is not reappointed upon the expiration of such judge's term of office on March 31, 1984, or before the appointment of such judge's successor.

"(i) Except as otherwise provided in this subsection, the provisions of the civil service retirement laws, including the provisions relating to the deduction and withholding of amounts from basic pay, salary, and compensation, shall apply with respect to service as a bankruptcy judge, together with other service as an officer or employee to whom such civil service retirement laws apply, as if this section had not been enacted.

"(j) Subparagraphs (i) and (ii) of section 8331(1) of title 5, United States Code, shall not apply with respect to a bankruptcy judge continued in office by section 404(b) of the Act of November 6, 1978 (Public Law 95-598; 92 Stat. 2683), for any period during which there is in effect an election made by such judge under subsection (d) of this section to receive retirement pay under subsection (c) of this section.

"(k) For purposes of this section, and section 377 of this title, the term 'bankruptcy judge' means, unless specified otherwise, a referee in bankruptcy continued in office by section 404(b) of the Act of November 6, 1978 (Public Law 95-598; 92 Stat. 2683), or a United States bankruptcy judge."

(b) The table of sections for chapter 17 of title 28, United States Code, is amended by

adding at the end thereof the following new item:

"377. Bankruptcy judges." ●

By Mr. BOREN:

S.J. Res. 117. Joint resolution to authorize and request the President to designate the week of January 17, 1982, through January 23, 1982, as "National Jaycee Week"; to the Committee on the Judiciary.

NATIONAL JAYCEE WEEK

● Mr. BOREN. Mr. President, I am introducing today a Senate joint resolution that will, if passed, authorize the President to designate January 17, 1982, through January 23, 1982, as "National Jaycee Week."

The U.S. Jaycees, headquartered in Tulsa, Okla., will be celebrating 62 years of service to communities across America in January.

The Jaycee movement began in St. Louis, Mo., on October 13, 1915, and quickly spread to a national organization, formally created by 29 chapters at the first convention in St. Louis on January 21, 1920.

Through the years, the Jaycees have been involved in a variety of projects. In the early days, Jaycees were at the forefront in such diverse areas as aviation—Charles Lindbergh was the most prominent Jaycee in that field—development of U.S. air mail service, and creation of the National Wildlife Federation. Just prior to U.S. involvement in World War II, the organization voted at its national convention to support formation of the Selective Service System. Congressional debate had been stalemated on the issue until the Jaycees—all between the ages of 21 and 36 and very draft prone—voted their support for the draft. Some 85 percent of the membership served in the war.

The organization has been involved—always on a nonpartisan basis—with other Government issues and programs over the years. The Jaycees campaigned in support of political freedom for civil servants, were instrumental in formation of the ACTION Agency and lobbied in favor of statehood for Alaska. More recently, the Jaycees have concentrated their Government efforts on matters of the economy, having called repeatedly for a balanced Federal budget. In 1981, the Jaycees enacted their "Enough Is Enough" campaign in support of the administration's recommended cuts in Federal spending—again on a nonpartisan basis.

Some of the Jaycees' major projects in recent years have included public education on alcohol and other drugs, energy awareness, CPR training, shooting safety and muscular dystrophy fundraising.

The Jaycees have been active in the corrections field by maintaining over 400 prison chapters with a membership of nearly 17,000. The program is now in its 19th year, and cooperates with a job placement service for newly released inmates.

Jaycees now number some 300,000 members in approximately 7,500 local chapters in communities across America. As a service organization, the Jaycees have done much to enhance the communities in which they serve, by following closely the creed that "Service to Humanity is the Best Work of Life."

By supporting this joint resolution, we will be honoring an organization that has given much toward the health and vitality of our communities. This will be a small expression of America's gratitude for the many significant contributions of the U.S. Jaycees.

I urge my colleagues to join me in cosponsoring this joint resolution.

Mr. President, I ask unanimous consent that the joint resolution be printed in the RECORD.

There being no objection, the joint resolution ordered to be printed in the RECORD, as follows:

S.J. RES. 117

Whereas the Jaycee Idea began with a handful of young men in St. Louis, Missouri, 62 years ago;

Whereas the Jaycee Idea embraces today approximately 300,000 members in 7,500 American communities that have chapters in the United States Jaycees;

Whereas the Jaycee Idea enriches the lives of communities around the world through affiliation in Jaycees International;

Whereas the Jaycees Organization retains a youthful outlook, even in its maturity, and continues to build on the individual member, even with its global scope—first, helping him be the best man he can be, then helping him help his fellow man in need, one to one;

Whereas a Jaycee cares about people, and he shows it;

Whereas a Jaycee cares about progress, and he does something about it;

Whereas a Jaycee lives by the creed that "service to humanity is the best work of life", and throws himself into that work both in his vocation and avocation;

Whereas a Jaycee is the kind of young man this country will need in great numbers to help meet the challenges of our times and the coming century; and

Whereas it is fitting that we should give special recognition and encouragement to the Jaycee and his organization: Now, therefore, be it

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue a proclamation designating the week of January 17, 1982, through January 23, 1982, as "National Jaycee Week", and calling upon all Government agencies and people of the United States to observe the week with appropriate programs, ceremonies, and activities. ●

ADDITIONAL COSPONSORS

S. 312

At the request of Mr. LEVIN, the Senator from Nevada (Mr. LAXALT) was added as a cosponsor of S. 312, a bill for the relief of Maria and Timofei Chmykhalov, and for Lilia, Peter, Liubov, Lidia and Augustina Vashchenko.

S. 391

At the request of Mr. CHAFEE, the Senator from Georgia (Mr. MATTINGLY), and the Senator from Florida (Mrs. HAWKINS) were added as cosponsors of S. 391, a bill to amend the National Security Act of 1947 to prohibit the unauthorized disclosure of information identifying agents, informants, and sources and to direct the President to establish procedures to protect the secrecy of these intelligence relationships.

S. 1018

At the request of Mr. CHAFEE, the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1018, a bill to protect and conserve fish and wildlife resources, and for other purposes.

S. 1024

At the request of Mr. SYMMS, the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of S. 1024, a bill to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

S. 1131

At the request of Mr. DANFORTH, the Senator from New Hampshire (Mr. HUMPHREY) was added as a cosponsor of S. 1131, a bill to require the Federal Government to pay interest on overdue payments and to take early payment discounts only when payment is timely made, and for other purposes.

S. 1649

At the request of Mr. SASSER, the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1649, a bill to improve the highway bridge replacement and rehabilitation program.

S. 1778

At the request of Mr. EAST, the Senator from Idaho (Mr. McCURE) was added as a cosponsor of S. 1778, a bill to repeal the Metric Conversion Act of 1975 (89 Stat. 1007; 15 U.S.C. 205a et seq.).

SENATE JOINT RESOLUTION 29

At the request of Mr. HEINZ, the Senator from Missouri (Mr. DANFORTH) was added as a cosponsor of Senate Joint Resolution 29, joint resolution to authorize and request the President to issue a proclamation designating the calendar week beginning with the first Sunday in June of each year as "National Garden Week."

SENATE JOINT RESOLUTION 34

At the request of Mr. GOLDWATER, the Senator from North Dakota (Mr. ANDREWS), the Senator from Colorado (Mr. ARMSTRONG), the Senator from Oklahoma (Mr. BOREN), the Senator from Arkansas (Mr. BUMPERS), the Senator from West Virginia (Mr. ROBERT C. BYRD), the Senator from Virginia (Mr. HARRY F. BYRD, JR.), the Senator from Mississippi (Mr. COCHRAN), the Senator from Kansas (Mr. DOLE), the Senator from Minnesota (Mr. DURENBERGER), the Senator from Kentucky (Mr. FORD), the Senator from Utah (Mr. GARN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Utah (Mr. HATCH), the Senator from South Carolina (Mr. HOLLINGS),

the Senator from New Hampshire (Mr. HUMPHREY), the Senator from Hawaii (Mr. INOUE), the Senator from Iowa (Mr. JEPSEN), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Indiana (Mr. LUGAR), the Senator from New York (Mr. MOYNIHAN), the Senator from New Mexico (Mr. SCHMITT), the Senator from Vermont (Mr. STAFFORD), the Senator from Alaska (Mr. STEVENS), the Senator from Idaho (Mr. SYMMS), the Senator from South Carolina (Mr. THURMOND), the Senator from Wyoming (Mr. WALLOP), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from South Dakota (Mr. ABDNOR) were added as cosponsors of Senate Joint Resolution 34, a joint resolution to provide for the designation annually of "National Patriotism Week."

SENATE RESOLUTION 232

At the request of Mr. CHAFEE, the Senator from Wisconsin (Mr. KASTEN) was added as a cosponsor of Senate Resolution 232, a resolution expressing the sense of the Senate with respect to the need to continue the tax incentives for energy conservation and renewable energy sources.

AMENDMENT NO. 110

At the request of Mr. CHILES, the Senator from New Hampshire (Mr. HUMPHREY) was added as a cosponsor of amendment No. 110 intended to be proposed to S. 951, a bill to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for fiscal year 1982, and for other purposes.

AMENDMENT NO. 591

At the request of Mr. D'AMATO, the Senator from Montana (Mr. MELCHER), the Senator from Kentucky (Mr. HUDDLESTON), and the Senator from Massachusetts (Mr. TSONGAS) were added as cosponsors of amendment No. 591 intended to be proposed to H.R. 4121, a bill making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1982, and for other purposes.

SENATE RESOLUTION 233—RESOLUTION RELATING TO SECURITY COOPERATION WITH ISRAEL

Mr. DOLE (for himself, Mr. MATTINGLY, and Mr. HUDDLESTON) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 233

Whereas it is in the national interest of the United States to encourage stability and peace in the Middle East by all feasible and appropriate means;

Whereas threats to security in that region are increasing, particularly because of the activities of the Soviet Union and its allies and proxies;

Whereas in that region Israel is a major and essential ally of the United States in the effort to achieve peace and security;

Whereas the strengthened defensive capability of Israel is therefore a chief goal of United States security policy, appropriately pursued through expanded security cooperation;

Whereas such enhanced cooperation also contributes directly to United States military capabilities in the region; and

Whereas such enhanced cooperation constitutes a critical element in overall United States security strategy for the region: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should move with all appropriate speed and by all appropriate means to take concrete steps to strengthen United States security cooperation with Israel, and particularly to contribute to the development of Israel's military defensive capability, in order to preserve Israel's ability to defend against any combination of potentially hostile forces in the region. These steps should include planning for such measures as

(1) more frequent exchanges of views between United States and Israeli officials concerning threats to regional security and joint strategic planning for responding to those threats;

(2) cooperation in protecting the sea lanes in the eastern Mediterranean, especially through joint air defense;

(3) appropriate joint military exercises;

(4) pre-stocking of appropriate United States materiel, such as medical supplies and other items, in Israel;

(5) repair and maintenance of appropriate United States equipment such as aircraft and naval vessels in Israel; and

(6) other specific appropriate actions that would reinforce and enhance strategic cooperation between the two countries.

It is further the sense of the Senate that the President shall report quarterly to the Committee on Foreign Relations of the Senate on progress that has been achieved in expanding security cooperation between the United States and Israel.

● Mr. DOLE. Mr. President, my colleagues, Senator MATTINGLY and Senator HUDDLESTON, and I are submitting today a resolution that calls on the President to move forward quickly with expanded security cooperation with Israel in a number of particular areas.

We believe this action is critical because it has become clear that the Israeli Government has grave concerns about its security in the long term, as the other Middle East nations build up their military and technological capabilities.

Those concerns have been heightened by the prospect that the United States might sell AWACS aircraft and a package of enhancements for the F-15 to Saudi Arabia.

I have been undecided whether we should make that sale, partly because of my concern that Israel's sense of security might be weakened by it. I am satisfied that the risk of that arises for reasons that are not so much military or technical but rather political—or psychological if you will.

It is difficult for Israel to see us move toward a close relationship with Saudi Arabia on the military side. It is difficult for Israel to see how it can defend itself in the long run against growing Arab military power, which is inevitable whether we sell the Saudis equipment like this or whether others do.

This is why the Israeli Government itself has shown such an interest in the areas of military cooperation we might pursue more fully than we have so far done.

I believe that a firm and determined

reconfirmation of our commitment to Israeli security for the long term, demonstrated by moving forward with far closer cooperation with Israel than the United States proposes to have with any Arab country—and by our call for the President to inform the Senate regularly about how that cooperation is progressing so that we can continuously monitor and encourage such cooperations—would help restore Israel's confidence that we intend to maintain and insure its ability to defend itself against any combination of potentially hostile forces in the region.

With this reassurance, I believe we can avoid dangerous consequences for Israel's security should we proceed with the sale of AWACS and other equipment to Saudi Arabia. And with this reassurance, together with the commitments we expect to receive (or have received) from the President in writing, I would be prepared to support the sale.●

AMENDMENTS SUBMITTED FOR PRINTING

ADMINISTRATIVE PROCEDURES ACT AMENDMENTS OF 1981

AMENDMENT NO. 619

(Ordered to be printed and to lie on the table.)

Mr. NUNN submitted an amendment intended to be proposed by him to the bill (S. 1080) to amend the Administrative Procedures Act to require Federal agencies to analyze the effects of rules to improve their effectiveness and to decrease their compliance costs; to provide for periodic review of regulations, and for other purposes.

REGULATORY FLEXIBILITY

Mr. NUNN. Mr. President, last year, the Congress approved the Regulatory Flexibility Act. That law, hailed as landmark legislation by the small business community, requires all agencies, prior to promulgating regulations, to undertake any analysis of the impact of those regulations on small business. Whenever possible, agencies are to take action to minimize the burden of regulations on small businesses. To insure that the interests of small business are protected, the law provides a statutory responsibility for the SBA Chief Counsel for Advocacy's to review agencies' regulatory analysis, monitor agency compliance with the implementation of the act, and report annually to the Congress on the actions taken with respect to this law.

The Regulatory Flexibility Act took effect on January 1, 1981. Agencies have been complying with its provisions. Since the Chief Council for Advocacy was not confirmed until July 31, SBA's internal efforts have been slowed. Their commitment to the full implementation of the act, and their role in its success, has been strong throughout, however.

During the Senate Judiciary Committee's consideration of S. 1080, the regulatory reform legislation, that committee added additional provisions to the Administrative Procedures Act. In addition,

the committee redesignated the "old" Regulatory Flexibility Act provisions (previously chapter 6 of title 5, United States Code) as a subchapter of chapter 6. The committee bill then provides that:

The President shall have the authority to establish procedures for agency compliance with chapter 6 of this title. (S. 1080, page 46, lines 2 and 3.)

And

The President may delegate this authority, in whole or in part, to the Vice President or to an officer within the Executive Office of the President whose appointment has been subject to the advice and consent of the Senate. (S. 1080, page 46, lines 12-14.)

Identical provisions exist in the Government Affairs Committee amendment to the Judiciary Committee amendment to the bill. (See page 78, lines 2 and 3, and page 80, lines 6-10.)

The net effect of these provisions is to seriously impair, if not eliminate, the role and responsibilities for the implementation of the Regulatory Flexibility Act which Congress imposed on the Chief Counsel for Advocacy only 1 year ago.

As the ranking minority member of the Senate Small Business Committee, and as a member of the Governmental Affairs Committee, I do not believe that the Chief Counsel for Advocacy should be undercut in his statutory role in implementing the Regulatory Flexibility Act. Nor do I believe that the Judiciary Committee or the Governmental Affairs Committee intend this result. The small business community needs to have a responsible, and responsive, advocate for their views within the executive branch in the development of regulatory policies.

Therefore, I am proposing two amendments. The amendments would retain existing law for the implementation of the Regulatory Flexibility Act. The parliamentary situation requires that both the Governmental Affairs amendment in the nature of a substitute, and the Judiciary Committee amendment in the nature of a substitute, be amended.

Mr. President, I believe these amendments to be noncontroversial. I am confident that they can be adopted quickly when the Senate begins its consideration of this important regulatory reform legislation.

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. MATHIAS. Mr. President, the Committee on Rules and Administration will hold a meeting on Friday, November 6, 1981, at 9:30 a.m. in room 301 Russell Senate Office Building. The purpose of the meeting is to markup S. 807, the Federal Assistance Improvement Act of 1981. On October 20, 1981, S. 807 was referred to the Rules Committee for 20 calendar days for consideration of title I, section 1005, subsections (c) through (f) of the bill.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. McCLURE. Mr. President, I would like to announce for the information of the Senate and the public that the oversight hearings on the implementation of title I of the Natural Gas Policy Act scheduled for Thursday, November 5 and

Friday, November 6 will begin at 9 a.m. instead of 10 a.m. in room 3110 of the Dirksen Senate Office Building.

SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

Mr. WALLOP. Mr. President, I would like to announce for the information of the Senate and the public that the subcommittee hearing on S. 625, to revise the boundary of Voyageurs National Park, scheduled for Thursday, October 29 will begin at 9:30 a.m. instead of 10 a.m. in room 3110 of the Dirksen Senate Office Building.

ADDITIONAL STATEMENTS

SENATOR GARN OUTLINES WORK TO PROMOTE U.S. EXPORTS

● Mr. HEINZ. Mr. President, during the first 10 months of this year the Senate Banking Committee has established a fine record of accomplishment in the area of export promotion. It has reported out legislation providing for the establishment of Export Trading Companies, a measure that will greatly facilitate the entry of small- and medium-sized businesses into international trade. Other legislation acted upon by the committee includes the Competitive Export Financing Act of 1981, which would increase the ability of the U.S. Export-Import Bank to defend American businesses against predatory credit financing of foreign governments and the Business Accounting and Foreign Trade Simplification Act, which would make certain needed and urgent revisions to the Foreign Corrupt Practices Act.

The Senate gave its overwhelming approval to the Export Trading Company Act, on April 8, 1981, by a vote of 93 to 0. The other measures are now awaiting floor action. I am hopeful that they will receive the timely consideration that they deserve. I am confident that my colleagues will recognize the excellent work which the members of the Banking Committee have done on these measures.

In this work, Mr. President, as chairman of the Subcommittee on International Finance and Monetary Policy, I have had the benefit of the joint effort and support of the distinguished chairman of the Banking Committee, the senior Senator from Utah (Mr. GARN). This past week, Senator GARN had the opportunity of addressing a meeting of the International Management Development Institute, where he outlined the successes of the Banking Committee in the area of promoting U.S. exports while also describing some of the challenges that still confronts us. I trust that 10 months hence we will be able to report a similar level of achievement for the committee, indeed for the entire Congress.

I ask that the remarks of Senator GARN be printed in the RECORD.

The remarks follow:

THE BANKING COMMITTEE'S RECORD ON EXPORT EXPANSION

I have been asked to discuss U.S. competitiveness in the international marketplace. I would like to share with you the logic behind what the Senate Banking Committee, which I chair, has been doing to remove the

government-imposed impediments which exist for the U.S. exporter and which have made him less able to compete with his foreign counterparts.

To begin, I think that it would be useful to explain how I see the Eximbank fitting into the overall export policy of our nation. As many of you know, there has been an export credit war going on for the past few years. Our foreign competitors—particularly the French—have used subsidized export credits as a means of garnering lucrative contracts for their nation's exporters. The fact is that, by OECD estimates, it has been costing the French taxpayer as much as \$3 billion per year in subsidy costs. Other countries have been experiencing similar costs.

I have taken the position, and my colleague Senator Heinz, the Chairman of the Subcommittee on International Finance and Monetary Policy, has agreed, that the best way to end this foolish and destructive competition in export credit subsidies is for the United States Government to make a solution to the problem a high priority and for the Eximbank to be sufficiently supported in Congress to be able to compete with its counterpart export credit agencies in other countries. In that context, unilateral disarmament would be a bad strategy, since it would remove the incentive to negotiate on the part of U.S. competitors.

Hence, for the past two years and through two administrations I have been leading the fight to keep Eximbank funding at levels high enough to provide an incentive to the Europeans and the Japanese to negotiate and to support U.S. companies bidding for contracts which need long-term fixed-rate financing.

I am happy to report that those efforts seem to have borne fruit. Last week there was a tentative agreement among the major exporting nations to raise official export credit minimum rates by 225 basis points, which would eliminate a substantial portion of the subsidy element by setting a minimum rate of ten percent to the less developed country markets. Much remains to be done, but this is substantial progress, and it should allow the U.S. Eximbank to raise its direct credit rates significantly without putting U.S. exporters at too much of a disadvantage vis-a-vis the French or Japanese.

So for this and other reasons which I shall mention I feel that we can say that the Banking Committee is making a good deal of progress in eliminating disincentives to U.S. exports. I think that for too long we have looked at exports as a privilege which the government grants. To my way of thinking, U.S. citizens have a right to export, within of course the overall context of general U.S. national security and foreign relations.

For example, I am against selling all our latest technology to the Soviets and helping them to overcome the great inefficiencies that there are in their economic system. There are some legitimate and necessary controls that must be placed upon our exports. Too often, though, controls have been excessive, misplaced, arbitrary, or mismanaged; they have forbidden or caused to be lost legitimate export sales, while allowing, incredibly so, major technologies and products to slip through into the hands of our adversaries. What I am saying is that we need to be tighter and more exact on some of our national security controls, while more open and less restrictive on all but those few exports that must be controlled.

This is just one further area, Export Administration, where the Banking Committee has made some significant contributions. There is still much to be done. The export licensing process still is too slow and inefficient. We still lose export sales, that Congress had no intention of stopping, just because it takes too long to get an export license. My feeling, though, is that this will

improve in the coming months once the new Administration has had time to organize and set priorities.

There has already been some improvement. There have been some organizational improvements at the Commerce Department, and their greater use of computer technology should speed up the processing of applications considerably. There may be some need for further changes in the Export Administration Act. If that should be the case, then the Banking Committee will make those changes. We will have to see if those organizational changes to which I referred will get us more within the statutory requirements for timely licensing. I am hopeful that they will.

A possible option, one which I proposed during the last session of Congress, would be the establishment of an Office of Strategic Trade. This would transfer responsibility for export administration from the Commerce Department to an independent agency. That may be the most appropriate thing to do. As I have mentioned on other occasion, the new Administration deserves the opportunity to show what it can do on the export control issue. Perhaps it will be able to make the current Export Administration Act work, doing what it was intended to do, namely preventing exports that would prove harmful to U.S. interests without hindering exports that would not be. That is something that we will have to examine in the next calendar year, after, as I said, the new Administration has had time to make the system work as well as it possibly can.

Let me mention another of the self-imposed handicaps with which the American exporting community must face. As Senator Heinz has said, not only do we seem to have the habit of shooting ourselves in the foot when it comes to exports, but we are quick to reload and fire again. Another area where we have imposed on ourselves export disincentives, and an area in which the Banking Committee has done some excellent work in correcting, is the Foreign Corrupt Practices Act. That Act purportedly outlawed the bribery of foreign officials. Well, in doing so, it almost succeeded in outlawing U.S. exports.

The U.S. Trade Representative, William Brock, called revision of the FCPA one of the most important trade issues facing the Congress. I am proud to report that the Banking Committee, in a very timely fashion, has dealt with that issue and on September 16 reported out a bill that makes significant improvements in the FCPA while preserving, and in fact enhancing, its anti-bribery provisions.

Here you had a piece of legislation that is a wonderful example of what we do so much of on Capitol Hill. We had a bill that was loaded with good intentions, that was rushed through the Congress on the excitement of the wave of revelations about bribery of foreign government officials, with all sorts of unforeseen consequences. What is incredible to me is the difficulty involved when once such problems are grossly obvious, when you have every group affected by the Act coming in and saying that it needs to be modified, that such and such negative consequences have resulted, when the unnecessary chilling effect to U.S. exports is apparent to all. It is incredible to me that you still have to fight tooth and nail to amend it. I guess that I would add to Senator Heinz's remark I mentioned earlier that not only is it amazing how quick we are to reload and shoot ourselves in the foot repeatedly, but it is amazing the lengths we'll go afterwards to avoid seeing the doctor.

Unfortunately, the relevant Committee of jurisdiction in the House, the Energy and Commerce Committee, seems reluctant to report a similar revisions of the Foreign Corrupt Practices Act. Similarly, the Export

Trading Company Act of 1981, which as I said the Senate passed 93-0 on April 8, 1981, seems destined to languish in the House Banking and Judiciary Committees, which have joint jurisdiction. This badly needed improvement in the way small businesses can market their goods abroad has run up against objections of certain of my House colleagues who seem to feel that there is nothing wrong with the present structure of banking and antitrust laws as they apply to international trade, even if all the major U.S. competitors conduct their foreign trade in an atmosphere of greater certainty and greater access to finance and marketing opportunities.

The Commerce Department estimates that there are 20,000 U.S. businesses, with full competitive products, which could successfully export but do not for one reason or another. The Export Trading Company Act is aimed at that group of small- and medium-sized businesses who find the international marketplace a forbidding place and who wonder whether their own government will look favorably on their attempts to combine their marketing and promotional activities in order to compete more effectively.

What the Banking Committee has been trying to do with bills such as the Trading Company Act, the Foreign Corrupt Practices Act revisions, and even with the Export Administration Act amendments, is to provide the kind of certainty and predictability which U.S. exporters need—and deserve—when they compete in the international marketplace. The Japanese and the Germans are formidable competitors. U.S. exporters need cooperation and guidance from their own government, not further impediments. ●

THE DETERIORATION OF THE SITUATION IN NICARAGUA

○ Mr. HELMS. Mr. President, at the very moment that its officials insist that it is "intent on improving its relations with the United States on the basis of a respectful dialogue," the Sandinista government of Nicaragua has continued to intensify its attack on the private sector this past week. One week ago, five of the most prominent officers of private sector organizations were arrested in a flagrant violation of their rights to try to keep the Nicaraguan private sector alive. That action came within 12 hours of action in this Chamber which earmarked \$30 million in U.S. aid to the private sector in Nicaragua, even though \$20 million of our aid intended for the private sector there last year cannot be accounted for to the satisfaction of our own AID officials.

Mr. President, the arrest of these men is not an isolated incident in an otherwise improving relationship between Marxist Nicaragua and free people, whether within that country or abroad. This past Sunday morning, the home of a prominent political leader from the private sector, Mr. Alfonso Robelo, was attacked by a Sandinista mob while government policemen stood by and did nothing. Mr. Robelo's automobiles were destroyed and his house was severely damaged. This man, who supported the overthrow of the Somoza regime as fervently as any Sandinista, is now the victim of the whirlwind which the Sandinista victory spawned. But he is not the only victim. The Catholic and Moravian churches have been the constant targets of Sandinista oppression in past months, and the people of Nicaragua

have frequently been denied access to the only nongovernment newspaper, *La Prensa*, even though it is strictly limited by government censors as to what truths it can report about the chaos which the Sandinistas have brought to Nicaragua.

Recently, Mr. President, this respected newspaper printed a history of the incidents of repression which it had suffered at the hands of the government since 1932. In the 45 years which preceded Sandinista rule, these incidents averaged one every 5 years; since the Sandinista victory in July of 1979, they have averaged one every 4 months, and this year alone the newspaper has been closed down by the government five times. I am sorry to note that many seem to consider this trend to be salutary. For instance, during the 19 years between 1960 and the Sandinista takeover in 1979, the Inter-American Development Bank had disbursed a total of \$134 million to Nicaragua. In the first 18 months after the Sandinista takeover, the IDB committed a total of \$262 million to the Sandinistas.

Even now a Sandinista application for \$30 million more is pending before the IDB. It seems that this renegade country, which terrorizes its citizens at home and exports revolution abroad, has earned the distinction to receive twice as much from this particular multilateral lending institution in 18 months than it had the previous 19 years.

Mr. President, the Sandinistas have made no secret about their intention to consolidate their power in Nicaragua and build an army large enough to foment struggles in every Central American country at once. Colonel Qadhafi of Libya has already sent \$100 million, much of which has found its way into the revolutionary pipeline of terror and violence aimed at other Central American countries. Defense Minister Humberto Ortega has stressed that the Sandinistas are intent on creating a Marxist-Leninist state in Nicaragua. The Sandinistas are out to destroy the church, the family, the private sector and all the traditional values of the Nicaraguan people. If they succeed, only the shattered dreams of those who love freedom will remain; as for the rest, the words of Alexander Solzhenitsyn ring all too true: if the falsehood of ideology reigns, it will bring violence in its wake.

Mr. President, it is essential that we consider the statement issued by the private sector organizations which led to the arrest of its leaders. In fairness, I would consider it equally enlightening to compare that statement with the statement issued by the Sandinista party's official radio station, their own version of "Radio Moscow" and "Radio Havana." I therefore ask that these two documents appear at this point in the RECORD.

The documents follow:

DOCUMENTS

[Dreyfus] Managua, 19 October 1981. Commander Daniel Ortega Saavedra, coordinator of the governing junta of national reconstruction:

The boards of directors of the organizations of the private sector, members of COSEP, having met at a special session on this date, have decided to submit to the governing junta the following considerations:

Over 2 years have passed since the victory of the Nicaraguan people over the Somoza regime. During this period, we have seen the advance of a government project quite different from that drafted in the program of the National Reconstruction Government. We have analyzed the process of changes; we have pointed to the dangers of the course through which you want to lead the revolution. We have felt the indifference of the government to our recommendations and we have witnessed a long parade of foreigners, many of whom carry messages alien to our nationality.

The national economy is crumbling, production shows no signs of recovery, social peace is not yet a reality, the country falls deeper in debt in an endless spiral and the mixed economy announced by the government retreats before the advance of property nationalization, uncovering a project designed behind the people's back.

Considering the government's domestic and foreign policies enforced by the rulers of the country, we find an unmistakable Marxist-Leninist ideological line, confirmed by the speeches of members of the national leadership. The actions of the members of this government and their speeches here and abroad reveal the purpose of engaging in an international ideology campaign which has submerged us in almost total isolation from those sister nations who in the beginning supported the true Nicaraguan revolution. Apparently, the government no longer cares about the support of nations like Costa Rica or Venezuela; instead, it prefers the support of countries like Libya and Cuba, which places us within a clearly defined alignment and exposes us to suffer the consequences of such an alignment.

The statements of members of the government before international forums appear to conform more to international Marxist-Leninist movements than to the principles which inspired and which should be the guidelines of this revolution. Recently the defense minister and member of the FSLN national leadership, Commander Humberto Ortega, said that it was necessary for the people to prepare a list of persons, potential counterrevolutionaries; that those who consciously or unconsciously—namely noncommunist Nicaraguans—support the imperialist plans, and who fail to join the defense whenever the attack takes place, will be the first to appear hanging along the roads and highways of the country.

The defense minister's statements, later confirmed by Dr. Sergio Ramirez Mercado, of the governing junta of national reconstruction, indicates the start of a project whose consequences cannot be predicted. Worse yet is the fact that such statements can only be interpreted as the preparation of a new genocide in Nicaragua for exercising the right to dissent.

We are at the threshold of the destruction of Nicaragua; we are reaching a point of no return from which this government will hardly be able to claim its legitimacy before the people. The nationalism of an entire nation is being threatened by the internationalism of a radical and fanatical minority.

Portions of the pronouncement of the FSLN national leadership on 16 October of this year could be considered most positive if the concepts of such a pronouncement should influence the words and attitudes of the members of that national leadership. This pronouncement, however, accentuates the marked ambiguity that characterizes this government.

What is the use of appealing to all sectors if whenever you deem it necessary, you brand these same sectors as traitors. What is the use of proclaiming a mixed economy if companies continue to be illegally confiscated. What is the use of proclaiming guarantees to freedom of the press if the communications media continue to be shut down.

What is the use of proclaiming political

pluralism if the political parties are banned from holding peaceful meetings through the use of the divine hordes—to use your own words—taking over the country in a display of chaos and violence. What is the use of claiming to guarantee ideological pluralism if the actions of the independent unions are obstructed and their leaders arrested. What is the use of claiming to guarantee the physical integrity of persons if the minister of defense threatens to hang people. What is the use of affirming support for the economic efforts of the Central American governments if the rulers of these same countries are antagonized and called gorillas by leadership members. What is the use of proclaiming respect of human rights if laws are enacted restricting these rights.

It is necessary to understand that those you call domestic or foreign reactionaries are not against the Nicaraguan people but against the Marxist-Leninist project you are imposing behind the people's back. That is the reason we are being isolated by other countries, and that is the reason we are opposed to the project.

Let it be very clearly established before you and before history that the Nicaraguan private sector supported and shall continue to support the legitimate Nicaraguan revolution as it is contemplated in the program of the National Reconstruction Government. In no way, however, does it support the plans to change this revolution into a Marxist-Leninist adventure which will only bring more bloodshed and suffering to our people.

Such is the truth, regardless of insults or threats, as seen by many nations of the world who supported us wholeheartedly at the beginning but who now observe us with distrust and are alarmed by the behavior of this government and its ideologic tint.

We hope and pray to God that there is still time to amend the errors and that you may so understand.

Attentively, [signed] COSEP; Nicaraguan Development Institute, INDE; Confederation of Nicaraguan Chambers of Commerce; Nicaraguan Chamber of Industries; Nicaraguan Chamber of Construction; Confederation of Professional Associations of Nicaragua, CONAPRO; and the Union of Nicaraguan Agricultural-Livestock Producers, UPANIC.

RADIO SANDINO'S REACTION

PA202351 Managua Radio Sandino in Spanish 1800 GMT 20 Oct. 81.

[Station commentary: "COSEP's Irresponsible Provocation: A Thoughtless Appeal to Reflection."]

[Text] Those who for over 2 years of the Sandinist people's revolution have been deaf to the calm and patriotic appeals from our vanguard's National Directorate and the revolutionary government to become a part of the national reconstruction process; those who for over 2 years of the Sandinist people's revolution have closed their eyes to the Nicaraguan people's sacrifices and efforts to heal the wounds resulting from the war of liberation and to alleviate the economic crisis provoked by dependence on Yankee imperialism and aggravated by the Somozist plundering, in which they participated to a large extent; those who for over 2 years of the Sandinist people's revolution—and not just now, when they shamelessly admit it—have shared the cause of the Nicaraguan people's foreign enemies, slandering and maligning the process abroad, engaging in capital depletion, sabotaging the national effort to recover production and abusing the social, economic and political freedoms guaranteed by the revolutionary government; they, the group of politicized businessmen who claim to represent the country's private sector when in fact they represent only its recalcitrant and obdurate portion—which has isolated itself through its refusal to join the process and through its efforts to destabilize the Nicaraguan revolution, with the

intention of reversing it and of recovering its selfish lost privileges—are now demanding reflection from those who have been prodigal in their generosity and tolerance toward the Nicaraguan people's domestic enemies.

With the arrogance that is characteristic of those who have always regarded the Nicaraguan people as only another target for exploitation and a means of growing rich, the Higher Council of Private Enterprise, COSEP, leaders have addressed the government junta, not to announce their decision to join in peaceful and patriotic production, but with the strident provocation and recklessness characterizing daddy's little boy who, obeying his foreign parent's plans, irresponsibly seeks to challenge the patience of both the people and the leaders of their revolution.

It is indeed playing with fire to seek to ignore reality and to try to curb this process after more than 2 years of the Sandinist people's revolution has confirmed that the working majorities of our people are determined to confront anything in defending our new fatherland and its revolutionary conquests. This is indeed a dangerous adventure, concealing omens of an infamous past and generated by anti-Nicaraguans for which there is no longer any room in our history, in the history that the people of Sandino and Dario are currently writing.

In this new fatherland, integrated within the Sandinist revolutionary process and working with civic and patriotic honesty, there are thousands of private producers and honest businessmen who endorse and confirm the existence of the mixed economy proclaimed by the Nicaraguan revolution and guaranteed by the National Directorate of our historic vanguard and its revolutionary government. Hysterical boasts cannot deny this reality. Demagogic stridency cannot conceal the improper use made by dishonest and politicized businessmen of the financial support lavished on the private sector by the revolutionary government. This is not how this reality can be denied. Even in the world's most democratic country—today's Nicaragua—political and ideological pluralism is limited by the interests and will of the popular majority, which paid with the blood and life of thousands of their best children for the right to control their own destiny and to write their own history.

Those who admit to identifying with our foreign enemies, who in their desire for hegemonic domination arrogate to themselves the right to decide what we, the children of Sandino, want or do not want, cannot speak on behalf of the people's will and interests. What a crafty pretension on the part of those who have always believed in submission.

It would be better if the politicized directors of COSEP realized once and for all that their particular interests are guaranteed in the process of national reconstruction, within the framework of the general interests of the Nicaraguan people. They should realize that through their provocative and destabilizing activities, they are denying themselves their rights as Nicaraguans. They should also bear in mind that the Sandinist people's revolution is here to stay; that it is irreversible, for the people of Sandino and Dario are determined—and they have already proven this repeatedly—to pay the necessary price in blood and suffering, sacrifices and limitations, to defend the new fatherland and the revolution. This is the greatest legacy of their heroes and martyrs.

OPPOSITION COMMENTS ON 16 OCTOBER FSLN COMMUNIQUE

PA201518 Panama City ACAN in Spanish 1912 GMT 19 Oct. 81.

[Text] Managua, 19 Oct. (ACAN-EFE)—Leaders of the Nicaraguan opposition parties today insisted that the "FSLN must consult with the country's independent political and

production sectors, in order to give the revolution a "realistic and effective direction."

Commenting on the FSLN's eight-point official communique issued on Friday, Emilio Alvarez Montalvan, Democratic Conservative, said in a series of interviews published by Managua's LA PRENSA that, even though he believes the FSLN positions are "positive and stimulating," the problem continues to be one of "converting rhetoric into action."

In its 16 October communique the Sandinista leadership reaffirmed, among other things, its belief in "dialogue as a vehicle which will help the search for solutions to the problems affecting our Central American region."

Mr. HELMS. Mr. President, the past 2 weeks have been devastating for the cause of freedom in Central America. The arrest of these private sector leaders in Nicaragua marks the boldest, most flagrant violation of fairness and decency in the brief but dark history of the Sandinista Marxists. Already they killed Jorge Salazar, the former colleague of these men, by gunning him down in cold blood in November 1980. Now they have moved to annihilate any private sector leadership, to intimidate and terrorize those who refuse to cooperate in their plan to bring a Marxist-Leninist state in Nicaragua. Who knows whom they will move against next—will the church be their next target?

The Marxists hate it with a passion, and the good Archbishop of Managua, Monsenor Obando y Bravo, is the most respected leader in the country, whose authority goes much deeper than mere politics. He has been harassed continually by the Sandinistas, who consider the deep faith of Nicaraguans of all denominations to be nothing more than the "opiate of the masses."

Mr. President, I do not know who the next target will be. But it is clear who the ultimate target is: The free people of the Western Hemisphere are threatened by a resolute and coordinated band of power-hungry mobsters who fan out from Moscow, Libya, Havana, and other capitals to sow terrorism, instability, murder, and ultimately totalitarian power. The Sandinistas have had many opportunities to show their dedication to democratic and free principles; unfortunately, they use such terms only in their rhetoric, hopeful that it will win them a few precious allies, allay a few fears, and gain them the all-important time they need to consolidate their tyrannical hold on an innocent and peace-loving, freedom-loving people.

Mr. President, this is not the only blow against the hopes for freedom in Central America in the past fortnight. Not only has Nicaragua consolidated its tyrannical hold on its own people, but it has lent an indispensable hand to the leftist terrorists in El Salvador. Most recently, the most important bridge in that country, the Puente de Oro over the Rio Lempa, was destroyed by an operation smoothly devised and directed by several hundred Cuban troops. Moreover, Vice President Bush has pointed to the presence of 5,000 Cuban troops in Nicaragua, many of whom, I have no doubt, are aiding and abetting the revolutionaries in El Salvador. Mr. President, it is of utmost importance that the importance of that bridge be appreciated: It

cost \$100 million to build years ago, and was the pearl of the Salvadoran economy's infrastructure. The economy will not be able to last for long without it: And there remains only one more bridge over that huge and powerful Lempa River which, we must assume, is now the prime target of the guerrillas. Once it is gone, the lower third of the country would be cut off from the rest, and ripe for an invasion and declaration of a "liberated zone" in El Salvador.

The Soviet Union has not ignored this opportunity to spread the chains of Marxism-Leninism to one more country in the Caribbean, Mr. President; Dr. Genevieve de Chellis, the Soviet affairs analyst of the Senate Steering Committee, has recently conducted a study of an organization of the Soviet Union's network for the expansion of international tyranny called the Institute of Latin America of the U.S.S.R. Academy of Sciences. It constitutes a highly sophisticated, zealously dedicated attempt to inform and articulate the Soviet thrust into Latin America, and I ask that it be printed at this point in the RECORD.

The study follows:

THE INSTITUTE OF LATIN AMERICA OF THE U.S.S.R. ACADEMY OF SCIENCES

The Institute of Latin America (ILA) was founded in 1961 in Moscow as an all-Union Center¹ for the coordination of Soviet research on Latin America.² It belongs to the Department of Economics of the USSR Academy of Sciences.³

From 1965 on the Institute has been headed by the much traveled and decorated Professor V. V. Vol'skiy, Doctor of Economic Sciences, author of numerous works on topics ranging from forestry conservation in Peru⁴ to petroleum resources and the political and economic problems in Latin America in general and Brazil and Venezuela in particular.⁵

DUAL MISSION OF THE INSTITUTE

The official mission of the ILA is to conduct "scientific research on the economic, agrarian, political, ideological and cultural problems of Latin American countries, their foreign policy, international and intercontinental relations, the construction of socialism in Cuba" and specifically "the relations of Latin American countries with the USSR".⁶ All this "in the context of present global problems".⁷

The ILA has another mission. It is an extremely effective and far reaching intelligence collecting, disseminating and policy-making institution, an instrument of Soviet propaganda and of Marxist-Leninist indoctrination in Latin America.

The political and also policy-making dimensions of the ILA emerge in the following instance, one among many. Immediately following the 26th CPSU Congress (Feb. 23–March 3, 1981), an all-Union Scientific Conference on "The Present Stage of the Liberation Movement in Latin America and the Tasks of Soviet Specialists in Latin American Affairs" was held in Moscow under the joint sponsorship of the ILA and the Association of Friendship and Cultural Cooperation with Latin American Countries (the latter also headed by Dr. V. V. Vol'skiy). Some 200 specialists from leading institutes of the USSR participated in the work of the Conference. Its 13 lectures were attended by 15 of the 29 Latin American Communist and Leftist delegations to the 26th CPSU Congress. In its account of the work of the Conference, the Latin America monthly, official organ of the ILA, noted with satisfaction that such conferences held immediately after

a CPSU Congress had become an ILA "tradition".⁸

The members of the ILA are quite frank about the objectives of the Institute. Professor A. P. Shul'govskiy, Director of the Department of Social and Political Problems of the ILA stated that the main task of the Sector of Communist and Workers Movements of his Department is to study the activity of communists in the context of the "liberation, revolutionary processes on the continent" . . . taking into account "new problems that arise" . . . in the struggle to win over the masses".⁹

V. A. Kuz'michev, Director of the Sector of Culture, Science and Education of the same Department stressed the "great importance" of cultural and historical studies, because "cultural problems play an always greater, and sometimes even a decisive role" in the solution of practical problems encountered by the ideological and political struggle.¹⁰

In view of the above, there is little doubt that in the words of Cuban communist K. Aldano, the media of socialist countries, especially of the Soviet Union, have "taken the offensive" in recent years in Latin America.¹¹

SOME ACTIVITIES OF THE ILA

The importance of the ILA has grown with developing USSR-Latin American contacts. In 1970, the USSR had diplomatic relations with only nine Latin American countries, in 1980 with 19.¹² By the mid-seventies, some 3,000 youths from Latin America were studying in the USSR¹³ and 2,000 out of the 20,000 Soviet citizens involved in the arts and sent abroad were sent to Latin America.¹⁴ The USSR had become a leading world center for the training of specialists in Latin American affairs.¹⁵ Members of the ILA delivered some 5,000 lectures in 20 years in the USSR alone.¹⁶

The ILA operates through its numerous publications the complete list of which is published by the Institute of Latin America (ILA) and the Institute of Scientific Information on Social Sciences of the USSR Academy of Sciences.¹⁷ It also operates through regular discussions, "round tables", readers' conferences and symposia usually dedicated to some specific topic or area and attended by Soviet and Latin American specialists. There are also frequent exchanges of visits between the latter.

The Latin America illustrated monthly, which first appeared in 1969¹⁸ and is published in Russian and in Spanish, is the official organ of the ILA and presents full or partial accounts of the above meetings and visits. Its chief editor is S. A. Mikoyan, Doctor of Historical Sciences and specialist in Peruvian affairs. (He is the son of Anastas Mikoyan, deceased former member of the Politburo of the CC of the CPSU.) He was recently decorated by the Peruvian government. On that occasion the Peruvian ambassador to the USSR Hubert Alsamora remarked that the Latin America magazine was "a tribune from which Soviet and Latin American specialists expressed their opinions on the most varied topics."¹⁹

LEADING LATIN AMERICAN COMMUNIST VOICE THEIR OPINION OF THE ILA

In its April 1981, 20th anniversary issue, Latin America published with pride some comments of several General Secretaries of Latin American Communist Parties concerning the work of the ILA.

It is of some interest that Gilberto Vijeira of Colombia stressed the importance of research conducted by the ILA on the role of the armed forces in Latin America.²⁰

Jorge del Prado of Peru remarked that the works of Soviet authors (published in the Latin America monthly) were "a very important" help in the struggle of the people for national and social liberation . . . valuable tools . . . in the hands of revolutionaries fighting for democracy and progress on the continent".²¹

Footnotes at end of article.

According to Ruben Dario Souza of Panama, the publications of the ILA were of "invaluable assistance to Latin American revolutionaries" . . . they served to "improve old tactics, to determine strategic tasks . . . to determine the road that revolution must take . . .".²²

Athos Fava of Argentina declared that the activity of Soviet specialists in Latin American affairs and of the ILA in particular, played "an important part" in the struggle of the people of Latin America against imperialist oppressors and local reaction.²³

Jeronimo Carrera, member of the Central Committee of the Communist Party of Venezuela was of the opinion that the studies of the ILA, based as they are on "solid Marxist-Leninist foundations," are extremely valuable for Soviet researchers in their study and "creative interpretation" of Latin American reality and an "invaluable help to progressive forces on the continent".²⁴

STRUCTURE OF THE ILA

Over the years, the structure of the Institute of Latin America has undergone some modifications due to changing needs. According to information given on the occasion of its 20th anniversary (Latin America, No. 4, April 1981), the ILA comprises at present four departments, each of which include several sectors.

1. Department of Economics:

Sectors: Soviet-Latin-American Economic Relations, General Economic Problems, and Territorial and Regional Problems.

Group of Statistical and Economic Forecasting.

2. Department of Social and Political Problems:

Sectors: Ideology and Political Thought, General Socio-Political Problems, Communist and Workers Movements, and Culture, Science and Education.

3. Department of Area Studies and International Relations:

Sectors: General Foreign Policy Affairs, La Plata countries and Brazil, Andean countries, "Meso-America" (Mexico and Caribbean area), and Cuba.

Group for the Study of Relations of Socialist Countries with Latin American Countries.

4. Department of Scientific Information:

Groups: Reference and Review Service, Scientific Information Bulletin, Scientific Documentation Bulletin, and Scientific Documentation.

The Administration of the ILA also includes the following divisions:

A Group of International Relations (especially books exchange);

A Department of Graduate Fellows preparing for advanced degrees. (Over 100 have graduated in the past 20 years);

An Editorial and Publishing Group;

A Library of some 57,000 volumes and periodicals, mainly covering the social sciences;

A Printing and Duplication Laboratory; and

A Learned Council of the Institute presides over the defense of dissertations on Latin America. It may be added that the ILA has at present ten members holding doctorates and 86 with Candidates degrees.

FOOTNOTES

¹ *Latin America*, v. 4., 1981, p. 14.

² *Ibid.*, p. 91.

³ *Ibid.*, v. 1., 1981, p. 72.

⁴ *Ibid.*, v. 7., 81., p. 76.

⁵ *Ibid.*, v. 4., 81., p. 100.

⁶ *Great Soviet Encyclopedia*, v. 14, 1973, p. 214.

⁷ *Latin America*, v. 4., 81., p. 34.

⁸ *Ibid.*, v. 8., 81., p. 144.

⁹ *Ibid.*, p. 102.

¹⁰ *Ibid.*, v. 3., 81., p. 130.

¹¹ *Scientific Foundations of Communist Propaganda*, Moscow, 1975, p. 403.

¹² *Latin America*, v. 1., 81., p. 7.

¹³ *Ibid.*, v. 1., 81., p. 13.

¹⁴ *Ibid.*, v.

¹⁵ *Ibid.*, p. 6.

¹⁶ *Ibid.*, v. 4.81, p. 114.

¹⁷ *Ibid.*, v. 4., p. 133.

¹⁸ *Great Soviet Encyclopedia*, v. 14.1973., p. 214.

¹⁹ *Latin America*, v. 7.81., p. 75-6.

²⁰ *Ibid.*, v. 4.81., p. 115.

²¹ *Ibid.*, p. 117.

²² *Ibid.*, p. 120.

²³ *Ibid.*, p. 122.

²⁴ *Ibid.*, p. 125-26.

Mr. HELMS. Mr. President, I understand that the trial of these private sector leaders in Nicaragua will take place tomorrow. The Sandinistas have chosen a cause celebre for the enunciation of the new stage in their glorious revolution. The free people of the world will be watching these proceedings with great interest, Mr. President, as I know the Members of this body shall.●

UNITED ORDER OF TRUE SISTERS

● Mr. LEVIN. Mr. President, the oldest national women's fraternal and philanthropic organization in the United States, the United Order of True Sisters, will be celebrating its 135th anniversary on November 1, 1981.

Since 1947, the United Order of True Sisters, Inc. (UOTS), has focused its attention on cancer services. Thirty-eight UOTS lodges around the country have made important donations in the form of equipment and money to various hospitals serving cancer patients. Furthermore, the UOTS is the only such organization which allocates funds for home health care of indigent cancer patients.

On June 2, 1981, the UOTS presented a check for \$40,000 to Dr. Barbara Johnston, an oncologist at St. Vincent's Hospital in New York. Dr. Johnston has been conducting research on a new blood test for use in early cancer detection. Studies which have been conducted on the blood tests indicate that it is highly accurate in determining the presence of a malignancy in the body.

Mr. President, contributions such as this make the United Order of True Sisters, Inc., a very unique and worthwhile philanthropic organization. I commend Ms. Marilyn Koploy, of the Detroit area lodge, Ms. Nana Klein, national president of UOTS, and all the other dedicated women who are members of the United Order of True Sisters.●

LAND REFORM IN EL SALVADOR

● Mr. HELMS. Mr. President, on the 22d of October, during debate on U.S. aid to the expropriated sector of El Salvador's agricultural community, I mentioned statistics on landownership in the United States for comparison with those in El Salvador. Senators may recall that the ownership of land in many of these United States is more concentrated than landownership in El Salvador before the land reform was instituted. Nonetheless, those expropriations were meant to rectify what many apologists consider to be a situation so unjust that only radical reforms could have avoided a revolution.

In the Record of that debate of October 22, I asked that the table of distribu-

tion of farm and ranch land for each State in the Union be reproduced; in addition, I also referred to the percentages of all land owned by the top 5 percent of American landowners. That second table was apparently omitted in the Record debate of October 22, and I ask that the table from which those figures were taken be printed in the Record at this point.

The table follows:

EXHIBIT A

TABLE 1.—Concentration of land ownership in the United States of all land by region and State

Proportion of acreages held by largest 5 percent (1st col.) of landowners and largest 1 percent (2d col.) of landowners:

Northeast:		
Connecticut	57	35
Maine	87	73
Massachusetts	63	37
New Hampshire	79	53
New Jersey	63	38
New York	80	45
Pennsylvania	64	29
Rhode Island	56	30
Vermont	37	14
Northeast States	76	46
North Central:		
Michigan	65	34
Minnesota	31	11
Wisconsin	53	19
Lake	55	23
Illinois	57	21
Indiana	49	18
Iowa	34	12
Missouri	39	15
Ohio	59	25
Corn Belt	51	20
Kansas	43	18
Nebraska	47	25
North Dakota	37	12
South Dakota	58	28
Northern Plains	41	22
North Central	58	26
Southern:		
Alabama	72	46
Arkansas	72	49
Delaware	60	32
Florida	90	77
Georgia	73	45
Kentucky	53	23
Louisiana	80	58
Maryland	59	27
Mississippi	62	36
North Carolina	69	42
Oklahoma	61	35
South Carolina	67	42
Tennessee	58	36
Texas	71	47
Virginia	69	39
West Virginia	67	41
South	74	48
Western:		
Arizona	84.7	74.4
California	87.0	68.3
Colorado	83.2	49.7
Hawaii	98.2	97.2
Idaho	86.1	60.0
Montana	64.0	32.5
Nevada	89.4	73.8
New Mexico	90.7	70.3
Oregon	90.3	73.5
Utah	84.2	59.4
Washington	87.1	65.9
Wyoming	90.6	59.0
West	91.2	70.5
U.S. total ¹	75.1	48.0

¹ Revised, excluding Alaska.

Source: Natural Resources Economics Division, Economic Research Service, U.S. Department of Agriculture.

Mr. HELMS. Mr. President, the concerns which I have expressed about the accountability and effectiveness of U.S.

aid to the land reform program are shared by many others who are charged by the American taxpayer with the responsibility for the disposition of U.S. aid funds. Already this year, the chairman of the House Subcommittee on Foreign Operations and a bipartisan group of some 40 Congressmen have expressed their serious reservations about the uses to which U.S. aid is put in El Salvador. Mr. President, I ask that their letters be printed at this point in the RECORD.

The letters follow:

EXHIBIT B

HOUSE OF REPRESENTATIVES,
Washington, D.C., August 5, 1981.

HON. ALEXANDER M. HAIG, JR.,
Secretary of State, U.S. Department of State,
Washington, D.C.

DEAR MR. SECRETARY: We wish to express to you our deep concern about the rapidly deteriorating economic situation in El Salvador. The economy is in serious trouble and is getting worse each day. Private capital and technical managerial talent are leaving the country at an alarming rate. If this situation is allowed to continue, the very existence of a moderate democratic alternative will come into question.

It is well known that the Marxist opposition has sought to weaken the government and increase their support by seeking to destroy the economy of the country. Massive unemployment and economic despair have always been the traditional breeding grounds for revolution. A related aspect of this problem, however, is the failure of the Salvadoran government to utilize the talents and resources of the private sector.

Within El Salvador there exists a strong private sector—one that has committed itself to supporting needed reforms and working with the government to provide the necessary economic base for the survival of a truly pluralist democracy. As individuals or groups, such as the umbrella organization—the Productive Alliance—thousands of business and professional people remain in El Salvador trying to keep their business, shops and factories going.

It should not be forgotten that the government received the critical support of the private sector when a national strike was called. They kept their enterprises going and their workers off the streets to keep the economy running. As we have seen in Nicaragua it is the private sector that can provide the last straw to break a government as that under Somoza or it can provide the last ray of democratic hope as that under the Sandinistas.

We urge you to make it clear to the Salvadoran government, which is receiving so much assistance from the United States, that we in the Congress expect them to open the government to the participation of the business sector and that they will do everything they can to support a free market economy and a viable private enterprise. Besieged as they are from extremists of the far right and left, they need to broaden their base to include many of the business and professional class to gain wider political support as well as to utilize the managerial talents and skills that this group possesses.

We also hope that you will tailor our aid programs to reflect this concern and urge the Junta to implement much needed economic and social reforms with the participation and involvement of the private sector. We believe that economic aid is needed and justified for the region, but we also feel that American interests are better served if this aid supports the private economy, which can best create the jobs and utilize the skills and talents of the country.

We recognize and appreciate your concern for Central America, and we ask you to please keep us informed as to the steps that the government of El Salvador is taking to enlist the cooperation of the private sector.

Sincerely,

Kent Hance, Sam B. Hall, Jr., Robert Lagomarsino, Bill Archer, Guy Vander Jagt, William Broomfield, Robert Dornan, Jim Courter, John LeBoutillier, Arlen Erdahl, Benjamin Gilman, Manuel Lujan, Ed Derwinski, Ken Kramer, Clair Burgener, Tom Evans, Wayne Grisham, Marjorie Holt, Jack Kemp, Bob Livingston, John Rousselot, Paul Findley, Edwin Forsythe, Jerry Lewis, Eldon Rudd, Olympia Snowe, John Erlenborn, Arlan Stangeland, Joel Pritchard, Ed Weber, Bob Michel, Bill Lowery, Bill Goodling, Larry Winn, Jr., Trent Lott, Albert Lee Smith, Jr., Henry Hyde, Norman Shumway, Don Clausen, John Myers, John Ashbrook.

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 14, 1981.

HON. ALEXANDER HAIG,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: On behalf of the Committee I am approving the reprogramming requests for El Salvador numbered 197, 198, 199 and 200, subject to the Committee's insistence that before any of these funds are utilized, the Agency for International Development would review the existing programs for which the reprogrammings have been requested and certify to the Committee that procedures will be adopted to ensure that funds for these programs have and will be used effectively and with strict controls against diversion and fraud. Strict audit procedures, on-the-spot investigations and a whole series of tight fiscal controls are necessary to protect the money of the American taxpayer. The Committee expects full details about the procedures and safeguards to which the new funds will be subjected.

For example, as designed, AID's Private Sector Support project may be open to possible misuse of funds. According to the project document, the only requirement for the Central Bank of El Salvador which administers the special foreign currency funds, is a quarterly report which indicates the amount of imports attributed to the private sector, the name of the importer, person, business or institution and the type of goods and services purchased. Is this procedure adequate? Why are only minimal reporting requirements built into the project? Have any spot inspections been made to determine whether the imported materials or equipment are actually being used or have not been sold and the proceeds pocketed.

In regard to the land reform program, the Committee supports the efforts of the government of El Salvador to address the needs of its landless poor. However, we are concerned about the slow pace in compensating the previous owners of land included within this program as well as the slow pace in providing titles to the landholders created under the Land to the Tiller program (Decree 207). We believe that AID resources should be allocated to the Salvadoran economy in a manner designed to promote most efficient use of those limited resources. To the extent that those AID resources are used to support the land reform program, the Committee believes that AID should not artificially favor the larger cooperatives established under Phase I of the land reform program at the expense of Decree 207 landholders in the provision of credit and related supports.

The Committee is similarly concerned about the slow pace in providing titles to the

cooperatives established under Phase I of the land reform program. We believe that those cooperatives should have the right to convert from cooperative to individual ownership if they so desire.

In view of these concerns the Committee directs the Agency for International Development to provide it on a monthly basis with a report that provides a monthly and cumulative running total of (1) previous owners who have been compensated under the land reform program; (2) applications for title filed under Decree 207, provisional titles granted to cooperatives established under Phase I of the land reform program.

The Committee also directs the Agency to provide it with a report within 90 days evaluating the feasibility of individual as opposed to cooperative ownership of Phase I lands. This report should also include an analysis of AID's past level of support in terms of providing credit and related supports to Decree 207 beneficiaries as well as to the cooperatives established under Phase I of the land reform, and a plan for rectifying any previous bias toward supporting the larger cooperatives.

The Committee is also of the view that the maintenance of a free market price system for agriculture and other products is indispensable for the success of the land reform program and in the absence of such a system El Salvador may become a bottomless pit for American economic aid.

Sincerely,

CLARENCE D. LONG,
Chairman, Subcommittee on
Foreign Operations.

MR. HELMS. Mr. President, one disadvantage which must be borne in mind when considering the land reform program in El Salvador is the lack of information about the expropriated properties before their seizure; in order to justify the expropriation of the finest pieces of property in the country, those who support the reforms are tempted to distort any information about earlier production figures or to destroy it altogether. Nonetheless, it is important for Americans to understand what kind of system was destroyed by the reforms which are now being supported by our tax dollars.

I am glad in this regard that Dr. Christopher Manion, of the Foreign Relations Committee staff, recently visited a farm in Guatemala, which is just large enough to qualify under the first phase of El Salvador's reform program. That farm is operated by Mr. Adolfo Cordon, a graduate of the University of Notre Dame and a dedicated and tireless worker who has spent his life trying to improve the lot of the people in his country. Since it is nearly impossible in El Salvador to conduct an on-the-spot comparison of pre- and post-reform farms, I have asked the Department of Agriculture to prepare a brief reform of all the advances achieved by Mr. Cordon on his Guatemala farm, which presently enjoys the help of only 12 full-time workers. This is the kind of operation that was destroyed in El Salvador's land reform program, and there is no doubt that, should land reform come to Guatemala, Mr. Cordon's work will be plowed under as subsistence crops are planted and all the progress and work of the past 40 years will disappear.

The material follows:

FOREIGN AGRICULTURAL SERVICE,
Guatemala, Guatemala, October 7, 1981.
Dr. CHRISTOPHER MANION
Foreign Relations Committee
U.S. Senate, Washington, D.C.

DEAR CHRIS: I am sending you some information concerning the Hacienda Santa Cristina that Adolfo Cordon and I put together for you. I hope that contained in the four documents enclosed with this letter you will find all the information you may need in your work.

Sincerely,

LARRY M. SENDER,
Assistant Agricultural Attaché.

PENDING IMPROVEMENTS OF THE HACIENDA
SANTA CRISTINA, OCTOBER 1981
CITRUS OPERATION

At present there are 75,000 lime trees of the Key and Persian varieties in production on the farm. In 1981 an additional 25,000 plantings were made. These new plantings will begin to produce within four years.

When the necessary financing is secured the appropriate investments will be made to provide the Hacienda Santa Cristina with the following citrus processing capabilities: 1) the extraction of lime oil from the lime peel, 2) the production of lime juice for export to the U.S. and the U.K. (principally the U.K.), and for the domestic production of lemonade to be sold cheaply as a substitute for relatively expensive soft drinks, 3) the production of citrus pulp to be used in animal feed, 4) the production of pectin, 5) the production of Rose's Lime Extract for export to the U.K.

At present there are 500 grapefruit trees of the Ruby Red variety growing on the Hacienda Santa Cristina. Fresh grapefruit from these trees will be exported to U.S. markets during the off season. Fresh grapefruit juice will be supplied to the local market. (Presently there are no varieties of grapefruit of this quality grown elsewhere in Guatemala).

Income from the citrus oil and juice operations is about \$1.25 million per year.

FEEDLOT OPERATION

Adolfo Cordon's father, along with the USDA and Tom and Dorsey Buttram of the Clear Creek Ranch of Welch, Oklahoma, was one of the three original breeders of the Brangus breed of cattle. The purity of the breed on his farm is presently maintained through the use of semen purchased from three suppliers in the United States: 1) Wye Plantation, Greenstone, Md., 2) Jesse L. Dowdy, Rayville, Mo., 3) George Shackelfore, Atkins, Arkansas. Mr. James B. Lingle, the Manager of the Wye Plantation had advised Adolfo Cordon in his cattle improvement program on yearly visits to Santa Cristina since 1958.

Currently there are 400 registered Brangus cattle on the Hacienda Santa Cristina. Plans have been made to expand the registered herd to 800 head. The registered herd will be used as breeder stock which will be crossed with local breeds to produce cattle for a feedlot operation. The feedlot operation should one day grow to from 5,000 to 10,000 head. The meat produced will be used to provide the local market with a premium quality meat. At present Guatemala has only about 5 or 6 feedlot operations of this size.

The cattle in the feedlot will be fed on a mixture of sorghum, citrus pulp, molasses, urea, lemon grass bagasse and cottonseed meal. All of the feed ingredients are grown on the farm except the cottonseed meal, which is readily and cheaply available.

The expansion of the cattle operation is on hold until investment funds become available.

LEMON GRASS OPERATION

Plans have been made to convert the boilers, which are used to distill the essential oils from the lemon grass produced on the farm, from the consumption of oil to bagasse.

The project would cost only \$28,000 to complete. Presently about \$48,000 worth of bunker C fuel is used in the lemon grass distillation process every year. Thus, in less than a year Mr. Cordon would recoup his investment.

In addition to burning lemon grass bagasse, the converted boilers would be capable of burning sugar cane bagasse and coffee bean hulks. Both of these by-products are available from nearby suppliers at low costs.

Lemon grass bagasse left over after the farm's demand for fuel is met (about 50% of the bagasse), would be used, along with manure and urea from the livestock operation, in the production of a high quality fertilizer for use on the farm. This would save \$80,000 in fertilizer purchases every year and about 25% of the lemon grass bagasse produced on the farm would be used in this way. A by-product of the fertilizer production will be methane which can be used to run the farm's ten tractors.

The final 25% of the bagasse would be used as cattle feed on the feedlot. In addition, the converted boiler would be used to dry hybrid corn sold for seed and produced on the farm in the amount of 8,000 bushels per year. This use of the bagasse would result in savings of \$12,000 in electricity bills, after installing a turbo generator.

OTHER PROJECTS: COCOA, HARDWOODS,
SPEARMINT, ETC.

Equipment will be purchased to process cacao to produce chocolate and coco butter. Production of cacao will take place on 600 acres of forest located on the farm.

The forest is also being used to produce mahogany, cedar and local varieties of hardwoods, for later commercialization. An average of 10,000 hardwood trees are planted on the property per year. The net value of the hardwood is estimated at \$25 per tree per year of age. Other forest crops grown on this land are Christmas trees and houseplants for sale locally.

The forest is located on the banks of a small river that flows through the farm. Keeping this land forested is important for the prevention of erosion.

Plantings of peppermint, spearmint, and citronella are currently being conducted on an experimental basis. If the production of these items proves feasible, they will be processed using the same equipment now used to distill lemon grass oil.

Other crops being cultivated on a smaller scale which may be increased if proven profitable, are All Spice trees, Cranshaw melons, Tamdew melons, Sugarbaby watermelons and peppers to be exported to the United States during the U.S.'s off season.

WHAT MR. CORDON BELIEVES WOULD MOST
LIKELY OCCUR UNDER LAND REFORM

The Lemon Grass and Citrus operations would be plowed under to make way for the production of corn. The production of commercial or cash crops is not often continued by new owners after land reform measures are introduced.

The distillation machinery would go unused and be allowed to deteriorate.

The trees in the forest would be cut down to provide wood for fuel. The new owners would most likely not appreciate the long-term profitability of the hardwood trees, nor the importance of keeping trees along the creek for prevention of erosion.

The cattle would be slaughtered in short order. The breeding of registered Brangus cattle would be suspended. Such an operation would be considered unnecessary since local, unimproved breeds would be considered adequate for domestic consumption. Cattle would only be produced in such numbers as could be supported by scrounging and granging on the farm. The feedlot operation would be discontinued.

Credit, which is difficult to obtain in the

best of times, would become even harder to secure. As a consequence the farm would go unimproved and the inherent productivity of the land would decline due to lack of funds for proper maintenance.

The new owners under land reform would most likely not be experienced managers. The efficiency of the present operation would not be matched, and the productivity of the farm would suffer.

Mr. HELMS. Mr. President, in light of the concerns expressed last week by many of the participants in the Cancun conference on the relationships between developed and developing countries, I am renewed in my conviction that President Reagan is correct: development must come from within. It is Guatemalans like Mr. Cordon who will make Guatemala a developed country. Unfortunately, the best efforts of those who were making the most progress toward the development of El Salvador have been destroyed by the land reform there. Two articles by Robert Bleiberg and Melvyn Krauss detail the fallacies in the type of thinking that has led to land reform in Latin America, and I ask that they be printed at this point in the RECORD.

The articles follow:

[From Barron's, Jan. 12, 1981]

WORKERS AND PEASANTS—IN EL SALVADOR,
LAND REFORM COVERS A MULTITUDE OF SINS

When we make a mistake, it's a beast. A few months ago, in an editorial commentary on Poland, we remarked that foreign policy is too important to be left to diplomats, especially those who push cookies at the U.S. Department of State. We went on to say: "Over the years, contrariwise, we have come to cherish the no-nonsense, school of hard knocks brand of diplomacy practiced by the American Federation of Labor-Congress of Industrial Organizations. . . ." What we had in mind, of course, was the AFL-CIO's sponsorship of the stirring tour of the United States by Alexander Solzhenitsyn, Soviet exile, Nobel Prize-winner and champion of freedom, as well as its long, lonely and ultimately successful fight to preserve the usefulness of the International Labor Organization by righting its anti-American, pro-Communist tilt.

Last week, however, other less admirable foreign policy initiatives, promoted and financed by the AFL-CIO—or, more precisely, by an offshoot known as the American Institute for Free Labor Development (AIFLD)—came to light when two of its representatives, together with the head of the local Institute for Agrarian Transformation, were shot and killed in El Salvador by parties unknown. With the help of a million-dollar grant from the Agency for International Development, the unionists were working to help carry out the Salvadoran government's so-called program of land reform.

Men of goodwill were horrified, but few matched the eloquence of AFL-CIO President Lane Kirkland: "The AFL-CIO is outraged and saddened by the cold-blooded murders of American Institute for Free Labor Development representatives Michael Hammer and Mark Pearlman by extremist forces in El Salvador. These good men were in El Salvador to assist that nation's peasant unions to participate in a land reform program designed to improve the lives of hundreds of thousands of small farmers and to lay the foundation for a stable democratic society. We are equally grieved by the assassination of our brother and friend Rodolfo Viera, president of the Union Comunal Salvadoreña, the largest democratic peasant organization in the country. . . . The AFL-CIO

will continue its support to the rural and urban trade unions of El Salvador so long as they need and desire our help. We call upon the U.S. government to reiterate its support for the land reform program for which our brave friends gave their lives, and the success of which would be their best memorial."

Some memorial. Like so many other socialist buzzwords—"progressive" income tax, for example, or "liberal lawmaker"—"land reform" covers a multitude of sins. To carry out its mandate, the powers-that-be ordered the military to seize farms at gunpoint in the dead of night and to drive out the owners. Compensation, based in theory on ludicrously low valuations set for tax purposes and, in a country where inflation is raging at double-digit rates, payable in low-yielding long-term bonds, has in fact not been paid. Nor, for that matter, has the best land been turned over to the peasants. On the contrary, the large estates that produce the country's chief cash crops, including cotton, coffee and sugar—known in the U.S. as agribusiness, and vilified elsewhere as absentee landlords or oligarchs—have been reorganized into what the AIFLD euphemistically calls cooperatives but are in fact collective farms, owned and operated by the state.

To make matters worse, land reform has been part and parcel of a far more grandiose scheme to gain control of El Salvador's economic life, one that has also triggered nationalization of the export trade and of the once-flourishing and well-run commercial banks. The results have been predictably grim. Except perhaps for AIFLD and A.D. international credit has virtually dried up. Since the farms were collectivized, production and sale of the cash crops have fallen sharply, further depleting scanty reserves of foreign exchange. Output of goods and services last year plunged by an estimated 10%, while more than half of the labor force is unemployed. All grist for the mill of those, at home and abroad, who would rise to power by exploiting class warfare and chaos. The State Department and the AFL-CIO have somehow struck an alliance that has led not to progress but to relentless decline. With friends like these, the beleaguered people of El Salvador need no enemies.

Foggy Bottom's overt machinations have long been a matter of mounting concern. According to knowledgeable observers, it has intervened repeatedly in the country's political affairs, helping to topple governments right and (rarely) left, and generally throwing its weight behind policies that can only be called socialist. Robert E. White, current U.S. Ambassador to San Salvador, has enthusiastically hewed to the same line. In language that would do credit to Fidel Castro's ministry of propaganda, Ambassador White has scathingly denounced local capitalism as "an alliance between large landholders, business interests and the army, designed to reap maximum profits, give minimum benefits and minimum salaries, prevent any kind of organization of the peasantry or workers, pay as little as possible in taxes and permit corruption that was rampant in the government. . . ." After the killing of a politicized priest last spring, the diplomat shocked the Chamber of Commerce by accusing the business community of financing "hit squads," and, without a shred of evidence, offering the "working hypothesis" that it was responsible for the Archbishop's death (an indiscretion that led to his being called back briefly to Washington for "consultation"). Last month he blamed the Reagan transition team for allegedly inciting the "right" to murderous excess.

Ambassador White will be in no position to abuse his authority much longer, his next posting, we submit, should be to Kabul, where he'd have a chance to learn what repression really means. But that still leaves the AIFLD and its wrongheaded zeal. Accord-

ing to a spokesman, this organization was launched in 1962 when President Kennedy suggested to George Meany that the AFL-CIO could be a force for good in the so-called Alliance for Progress. Though that dubious contribution to foreign policy-making long ago vanished into the dustbin of history, AIFLD, with the support of some blue-chip corporate names, has been quietly promoting low-cost housing, trade unions and similar works ever since. And it has thrown itself into the cause of land reform in El Salvador. According to the AFL-CIO *Free Trade Union News*: "On March 6, 1980, the ruling Junta of El Salvador decreed a land distribution program which, when fully implemented, will become the most sweeping agrarian reform in the history of Latin America. . . . At the forefront of this breakthrough is the Union Communal Salvadoreña, a peasant farmer pressure group first organized in 1966 with assistance from the American Institute for Free Labor Development. . . ."

Breakthrough for whom? Breakthrough for what? Surely not for either free enterprise or freedom. In advance of the move, the junta took control of all communication throughout the country and temporarily suspended civil liberties. Those forced off their land by the army, which handled the seizure like a military operation, were stripped of their possessions without so much as an official receipt. As for compensation, it is based on valuations submitted by the owners in 1977 for tax purposes, a method which even in countries with greater respect for tax gatherers would be tantamount to confiscation. Although inflation is running at an annual rate of 30%, payment—not one colon has yet been forthcoming—was fixed in government bonds bearing an interest rate of 5% and maturing in 30 years. As for the peasants in whose name all this has been done, to date they have gained neither title to the land, nor the right to buy and sell it. The president of the country is on record, moreover, as stating that the new "owners" won't even have the option of deciding what crops to plant: "A designated Directorate makes those decisions."

As all recorded history attests, such decision-making is an invitation to disaster. After resigning in disgust and fleeing the country, one agricultural scientist and former top official wrote to his U.S. sponsor: "The plan that is being carved out is a foreign plan, perhaps prepared by specialists from international organizations who couldn't care less if it fails. . . . Please tell the State Department that . . . the 16 specialists in Agrarian Reform who have been offered to our Secretary of Agriculture would, undoubtedly, be people with expertise in the failures of Chile and Peru." Small wonder that the output of the leading cash crops has plummeted: sugar from 6 million hundredweight in 1978-79 to 4.4 million; coffee from 3.9 million hundredweight to an estimated 2.2 million in the current crop year. In El Salvador as elsewhere, a camel is a horse designed by a Directorate.

The last word belongs to David Garst, partner of Garst & Thomas Corn Co., whose father's bountiful harvest once inspired the administration of then-Soviet Premier Khrushchev, and who recently served on the Presidential Mission on Agricultural Development in Central America and the Caribbean. In an unusually blunt letter to the White House, farmer Garst wrote as follows: "El Salvador's agrarian reform consisted of confiscating all land over 100 hectares owned by any one person. The Junta also nationalized banking to make credit available to finance the State and/or collective farms made from this confiscated land . . . and set up a State monopoly to control exports of all traditional agricultural crops. This has destroyed the private sector of the economy. . . ."

There is no democratic political system . . . and there is no chance for economic progress. What we are supporting is a Marxist revolution.

ROBERT M. BLEIBERG.

[From the Wall Street Journal, Feb. 4, 1981]

LATIN AMERICA: INFLATION SHAKES WELFARE STATES

(By Melvyn B. Krauss)

The Carter administration believed that political violence and military dictatorships in the Third World are caused by extremes of wealth and poverty. Reducing inequalities of income and wealth distribution, therefore, became the cornerstone of U.S. policies toward the Third World in recent years. El Salvador is a case in point. The Carter response to a Cuban-based takeover threat there has been to sponsor a regime that nationalized the banks and promised agrarian reform, a strategy that seems to have enraged both the extreme left and the extreme right.

Difficult as it is to comment from afar on the course of events in Latin America, one may nonetheless assert that the real weakness of Carter's failed policy toward El Salvador and other Third World countries may not be that it pleases only U.S. liberals. Rather there is growing evidence that Carter's policy would not work even where both left and right in the affected country agree that a move toward greater economic equality is warranted. Several Third World countries have embraced the welfare state to combat extremes of wealth and poverty. But instead of promoting prosperity and social stability as predicted, the welfare state resulted in economic chaos, political violence and military dictatorships.

Costa Rica is a recent example. The New York Times reported in December that "Costa Rica's problems are the result of a welfare state that has brought considerable social justice and economic equality yet for years has spent more than it has earned, consumed more than it produced and, finally, borrowed more than it could afford. . . . Perhaps the greatest symptom of the crisis is that, in a country that has known eight successive peaceful transfers of power and has long boasted of its democratic tradition, there is suddenly open discussion of the possibility of a coup to install a government capable of dealing with the threat posed by the economy."

Costa Rica's real income has been substantially lowered because of the adverse movement in its terms of trade. If most economic decisions in Costa Rica's economy were private, the decline of real income would be "adjusted" by a decline in real expenditure. Costa Rica would be poorer; but there would be no need for a political crisis since the source of Costa Rica's problems—changes of commodity prices on world markets—are outside of Costa Rican control. Besides, things could soon get better. Sharp cyclical variations in the terms of trade are part of the normal economic environment for small one-crop economies.

But Costa Rica's welfare state made it impossible for Costa Rica to adjust to its reduced real income. The problem is that the decision to reduce welfare expenditure is a political one, which by its nature involves broken promises by the government to its citizens. When private individuals cut back because of reduced real incomes there is only private regret to contend with. But when the government has to suspend free medical services, reduce or eliminate pensions and so forth, citizens feel betrayed by their government.

Faced with the choice of cutting back on welfare expenditure or trying to maintain it in the face of declining real income by printing money, a government may well choose what appears to be the easy way out. The result: rapid inflation, devaluation of

the currency and loss of access to foreign capital markets. This is the present situation in Costa Rica. People there are talking of a coup d'etat simply because the directive power of an authoritarian regime eventually comes to be seen as the only way the economy can be made to adjust to changed circumstances.

Similar to the situation in Costa Rica, the inability of Uruguay's government to reduce welfare expenditure during times of depressed world prices for its leading export—meat—led to hyperinflation. The terms of trade turned against Uruguay during the 1960s. The fall of its currency ratio from 11 pesos-to-1 dollar in 1960 to 100-to-1 in 1967 and 250-to-1 in 1963 reflected an inflation that resulted from government financing of inordinately high levels of welfare expenditure through money creation. Uruguay had little incentive to invest in equipment or chemicals for farm production because the government had been using export profits to prop up its state-owned industries and its own huge bureaucracy.

Unlike the Carter administration, El Salvador's President, Jose Napoleon Duarte, appears to have learned the lessons of Costa

Rica and Uruguay. He argues, "There is too little land and too many people. . . . We need to become more like Taiwan, importing labor-intensive industries." This means that El Salvador should avoid the agrarian-reform, wealth-redistribution muddle favored by the Carter administration and instead use the free market to spur economic growth. The Reagan administration's policy should be to help El Salvador become the Taiwan of Central America.

Mr. HELMS. Mr. President, it is clear from these documents that our support of the land reform in El Salvador is a costly and unnecessary mistake. Nonetheless, we can only hope that the most stringent accounting procedures and an attitude of honesty and candor on the part of those American officials responsible for the administration of our aid programs will minimize the losses that this program will entail and that our American aid dollars will, in fact, help rehabilitate the private sector in El Salvador and strengthen that country in its

battle against the leftist guerrillas which threaten its very existence.●

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL

● Mr. NICKLES. Mr. President, last evening I voted against H.R. 4035, the Department of the Interior and related agencies appropriations bill. In my statement that accompanied that vote, I stated my intention to provide, in the CONGRESSIONAL RECORD, a breakdown of those places where H.R. 4035, as passed last night, is over the administration's September 24 budget requests.

To follow through with that pledge, I ask that the following table be printed in the RECORD.

It should be noted that H.R. 4035 is almost a billion dollars over the figure requested to balance the budget by 1984.

The table follows:

Comparison of the Department of the Interior and Related Agencies Appropriations Bill (H.R. 4035) as passed Oct. 28, 1981, with the Administration's Sept. 24, 1981, Recommendations					
	Sept. 24 request	H.R. 4035, as passed		Sept. 24 request	H.R. 4035, as passed
Department of the Interior, title I:			Related agencies, title II:—Continued		
Bureau of Land Management	\$456,138,000	\$565,889,000	Indian Education	\$71,364,000	\$81,096,000
Office of Water Research and Technology	0	0	Institute of Museum Services	194,000	8,400,000
Office of Water Policy	0	6,873,000	Navajo and Hopi Indian Relocation Commission	3,254,000	4,981,000
Fish and Wildlife Service	201,379,000	242,189,000	Smithsonian Institution, National Gallery of Art, and		
National Park Service	632,114,000	839,314,000	Woodrow Wilson International Center for Scholars	168,319,000	178,636,000
Geological Survey	473,582,000	505,991,000	National Endowment for the Arts	77,440,000	119,300,000
Bureau of Mines	124,881,000	147,959,000	National Endowment for the Humanities	74,800,000	113,700,000
Office of Surface Mining Reclamation and Enforcement	158,220,000	169,753,000	Commission of Fine Arts	152,000	303,000
Bureau of Indian Affairs	889,899,000	971,276,391	Advisory Council on Historic Preservation	1,641,000	1,632,000
Territorial Affairs	134,952,000	167,430,000	National Capital Planning Commission	2,095,000	2,236,000
Office of the Solicitor	17,307,000	18,870,000	Franklin Delano Roosevelt Memorial Commission	35,000	280,000
Office of the Secretary	51,652,000	56,401,000	Pennsylvania Avenue Development Corporation	16,755,000	19,040,000
Related agencies, title II:			Federal Inspector for the Alaska Pipeline	32,180,000	28,568,000
Forest Service	1,446,506,000	1,623,247,000	Holocaust Memorial Council	704,000	770,000
Department of Energy	992,908,000	1,061,652,000			
Indian Health	558,729,000	653,522,000	Grand total	6,597,200,000	7,589,433,391

Note: Subject to verification of the Appropriations Subcommittee.●

HAITIAN REFUGEE TRAGEDY IN FLORIDA

● Mr. KENNEDY. Mr. President, the news this week of the tragic drowning of 33 Haitian refugees near Miami has shocked the conscience of millions of Americans, and underscored once again the difficult legal, moral, and diplomatic problems our country faces in dealing with refugee and migration flows from Haiti and the Caribbean.

But what troubles me most are reports that our Government is not seriously looking for the smugglers and the vessel responsible for dropping these victims and their frail craft into the coastal waters of Florida before dawn on Monday.

I believe this tragedy should call forth a prompt and full-scale investigation by our Government to apprehend and bring to justice all those responsible for these deaths. As I note in a letter I have written today to the Attorney General, it is intolerable that our Nation's laws against smuggling can be violated with impunity by unscrupulous criminals who remain free to ply their vicious trade in human lives.

Mr. President, I ask that my letter to the Attorney General be printed at this point in the RECORD.

The letter follows:

COMMITTEE ON THE JUDICIARY,
Washington, D.C., October 28, 1981.

HON. WILLIAM FRENCH SMITH,
Attorney General, Department of Justice,
Washington, D.C.

DEAR ATTORNEY GENERAL SMITH: I am writing to urge you to use the full resources of the Federal Government to apprehend and bring to justice all those responsible for the tragedy that caused the death of 33 Haitians off the coastal waters of Florida last Monday.

A number of federal agencies have possible jurisdiction in this matter. I believe it would be appropriate for the Department of Justice to take the lead in establishing an inter-agency task force, composed of the Federal Bureau of Investigation, the Immigration and Naturalization Service, the Coast Guard, the Customs Service and other appropriate agencies to conduct a prompt and full-scale investigation of these deaths and to prosecute those responsible to the full extent of the law.

I am particularly concerned by reports that the United States is not even looking for the vessel that apparently sailed from Bermuda, and later dropped these victims and their frail craft into the coastal waters of Florida before dawn on Monday.

This tragedy has shocked the conscience of millions of Americans. It is intolerable that our nation's laws can be violated with impunity by unscrupulous criminals who remain free to ply their vicious trade in hu-

man lives. I urge you to do everything in your power to bring the guilty persons to justice at the earliest possible moment.

Sincerely,

EDWARD M. KENNEDY,
Ranking Minority Member.●

SOCIAL SECURITY EDITORIAL

● Mr. DOLE. Mr. President, an editorial in the Washington Post on October 26, "More Trouble for Social Security," argues the need for Congress to take steps now to insure the solvency of social security in the years ahead. While I am in complete agreement with this, the editorial mistakenly states that the Senate, in adopting the Finance Committee amendment to H.R. 4331 on October 15, "thought it had saved social security's wounds well enough for the system to limp through the next decade."

In reality, most Members of this body were aware that the action would only insure the solvency of the retirement fund, the largest of the three trust funds, for the next few years. This was of great importance. The retirement fund pays 70 percent of all social security benefits and was projected to be broke by the end of next year. With the exception of only a few Members, who for political or other reasons would have us do nothing, it was

recognized that the system would require more substantial legislation within the very near future.

This is clear from the floor debate and from the nature of the final Senate action. A Finance Committee amendment was adopted which had three major elements—a reallocation of payroll tax income between the three trust funds, the authority for borrowing between the two cash benefit funds, and a partial restoration of the minimum benefit, the cost of which was offset by two small program changes. There was virtually no effect on the net financial condition of the system. Instead, resources were temporarily redistributed from the relatively more prosperous health insurance and disability insurance funds toward the nearly broke retirement fund.

When offering the committee amendment, I warned those who would later read or hear about the Senate action not to be under any illusion that we had taken care of either the short- or long-term social security problem. We were only delaying the day of reckoning by a year or two.

As much as \$20 to \$30 billion would still be needed between now and 1990 to provide the barest level of solvency for the system, and \$60 to \$70 billion would be needed to maintain current levels of reserves, already more seriously depleted than at any time in the history of the program. The recently announced deterioration in the medicare trust fund simply increases the financial requirements of the system, possibly by as much as 40 percent.

Prior to reporting the committee amendment, the Finance Committee heard testimony from Dr. Alice Rivlin, Director of the Congressional Budget Office, Mr. John Svahn, Commissioner of Social Security, and Mr. Robert Myers, Deputy Commissioner and past Chief Actuary of Social Security. Each stressed that the type of action we were considering was likely to insure the timely payment of benefits through the 1980's only under quite optimistic economic conditions. All agreed that the difficulty of projecting economic performance made more significant action necessary if solvency was to be guaranteed beyond 1984 or 1985.

The new information provided by the medicare actuaries just confirms two things we already knew. First, medicare is seriously underfinanced. Chronic and severe deficits are likely to become apparent near the end of this decade. Second, medicare and the rest of the social security system is highly sensitive to changes in economic conditions. This is why social security requires reserves in excess of expedited outgo—to insure benefits can be paid despite unanticipated changes in income or expenditures.

In light of all this, the important question seems to be why the Senate failed to take more extensive action to remedy social security's financing problems. The answer is simply politics. None of us will soon forget the firestorm of protest that greeted the President's May 12 social security proposals.

I might also remind my colleagues of the position of Speaker O'NEILL. In his

view, social security can be made secure without increasing revenues or controlling expenditures, merely by making the modest adjustment of interfund borrowing. We were constantly reminded that a more extensive proposal would not be acted upon in the other body.

Obviously, the time was not right for bipartisan solutions. A few more responsible editorials like the one published in the Post yesterday may be helpful in convincing Members of Congress to act responsibly, both now as the other body works to modify our bill, and in the months ahead as we consider major changes in social security financing.

The viability of social security, which provides a basis of support for 36 million people, depends on the willingness of 115 million working Americans to continue financing benefits. Surely, curing the system's ills should be the highest priority of this Congress. ●

JERRY NOYER, PLANTATION, FLA.

● Mr. CHILES. Mr. President, I wanted to take a moment to express my admiration for Jerry Noyer of Plantation, Fla. Mr. Noyer moved from New York to Florida to retire, but he is proof that retirement does not mean inactivity. He has spent most of his 6 years in the Sunshine State helping citizens protect themselves against crime.

An article in the October 14 issue of "Golden Age Living" quotes Mr. Noyer as saying the first battle he had to fight was the one against apathy. Apathy is certainly becoming less of a problem as six of Florida's areas, including Broward County, have become the Nation's leaders in violent crime.

Mr. Noyer's contributions have included becoming an active leader of the Broward County Crime Watch chapter, including serving as its president for the last 2 years. He travels throughout the county educating individuals and whole neighborhoods on how they can protect themselves by being alert to potential dangers and by notifying authorities of crimes and suspicious situations.

This kind of effort on the part of individuals and communities themselves is our frontline defense in the battle against crime. A recent hearing by the Special Committee on Aging, entitled "Older Americans: Fighting the Fear of Crime," highlighted the strength and potential of positive, volunteer activities like these throughout the Nation.

We can thank senior citizens and retirees like Jerry Noyer for the success of such programs, which range from prevention to peer counseling and victim assistance.

The magnitude of the crime problem and its impact—physically, psychologically, and financially—on older Americans is such that we cannot rely on people protecting themselves and prevention alone. That is why I sponsored comprehensive legislation to strengthen our judicial system and coordinate the efforts of various law enforcement agencies with each other and the IRS. But citizen involvement agencies with each other and the IRS. But citizen involve-

ment and self-protection is crucial, and I applaud Jerry Noyer's dedication to preventing crime and encouraging cooperation between citizens and their local law enforcement agencies.

Mr. President, I submit the article from "Golden Age Living" for the RECORD.

The article follows:

JERRY NOYER IS USING HIS FREE TIME TO HELP STOP CRIME

(By Nancy Hubbell)

Plantation.—From ladies' sportswear designer in New York to "Mr. Crime Watch" in Broward County, Jerry Noyer has enjoyed it all.

At age 60, Noyer decided to retire and move to the land of sunshine, where he didn't stay still for long.

"I said I'm 60, I've had it all . . . I left when my business was at its peak."

Noyer has lived in Plantation's Lakeshore Terrace Condominium for six years, but became involved in Crime Watch shortly after moving here, and has been its president for the last two years. He's been an active member for three years.

He became involved in Crime Watch after noting Broward's rising crime rate. At the same time a rapist was running loose at the exclusive Jacaranda area of West Broward, and that pushed Noyer into the program.

"I'm civic minded," said Noyer, who doesn't get paid for his work. "I'm a freebie," he laughs. "It sure beats sitting around the condo pool listening to my neighbors tell about how great they were in whatever part of the north they're from."

Noyer works with 21 out of the 29 Broward municipalities, and also with the Broward Sheriff's Office.

"I travel from the Galt Ocean Mile area, to Hallandale, to Jacaranda, Sunrise Lakes, and in between."

"I love it," said Noyer.

"We're trying to educate people, unfortunately, that we're fighting a life of crime around us . . . which occurs in every city," said Noyer.

"We're trying to eliminate fear by teaching people how to report crimes or incidents to police," said Noyer, who at first said he had to fight a battle of apathy. ●

TESTIMONY OF DR. WILLIAM KOREY ON THE OCTOBER 6 HEARING ON ANTISEMITISM IN THE SOVIET UNION

● Mr. HEINZ. Mr. President, as I have previously stressed, I am continuing today to bring to my colleagues' attention the testimony of expert witnesses who addressed the problem of increased anti-Semitism in the Soviet Union. Today I am pleased to submit the statement of Dr. William Korey, director of International Policy Research for the B'nai B'rith International Council and Professor of Russian History. Dr. Korey has taught at Yeshiva University and New York University, and has been a frequent guest scholar on many college campuses.

Dr. Korey's past history of intensive research on the issue involved with Soviet anti-Semitism allowed all present at the hearing better insight into the problems that confront the Jews of the Soviet Union on a daily basis. In particular, he spoke of the tragic reduction that has occurred in Jewish emigration from the Soviet Union and the fact that Moscow, while claiming adherence to the Helsinki Final Act and the Universal Declaration of Human Rights, has

actually been arbitrary and capricious in providing freedom of emigration. He continued by providing a moving account of the current status of the refuseniks, pointing to the profound anguish that these patient individuals must endure.

The statement referred to follows:

TESTIMONY OF DR. WILLIAM KOREY

Mr. Chairman: This is a moment of grave urgency for an entire people, the world's third largest Jewish community. I am not a Cassandra. I am here only to echo the profound sense of perilous anxiety and agony felt by the Jews of the Soviet Union.

Permit me to quote from an extraordinary document submitted last February to the 26th Communist Party Congress in Moscow. "The Jews of the USSR are facing the threat of a national catastrophe," concluded a 5000-word analysis of the Soviet Jewish condition signed by nearly 130 prominent Jewish activists of Moscow and Leningrad. It constituted a desperate *cir de coeur*, a foreboding of possible doom.

What prompts the sense of imminent trauma are two interrelated developments: 1) a severe and arbitrary curtailment by the Kremlin of Jewish emigration to a point where "it is becoming practically impossible" to obtain an exit visa; and 2) a continuing virulent anti-Semitism and a pervasive pattern of anti-Jewish discrimination joined to a deliberate crippling of Jewish culture and consciousness.

The linking of the two phenomena ineluctably has aroused profound dismay and concern among Jews both within the Soviet Union and everywhere in the West. It behooves us to help stir mankind's conscience so that it may respond to the plea of Soviet Jews anticipating "catastrophe." Their final words were: "It is still possible to prevent it." On this occasion when we recall and commemorate the 40th anniversary of Babi Yar, the massacre of our kin in Kiev, those words take on a special urgency.

The enormous significance of emigration rights, especially for minority groups, has been documented in 1963 in a United Nations study prepared by Judge Jose Ingles, a Filipino statesman and jurist. Drawing upon numerous sources from Socrates to the Magna Carta and basic democratic constitutions, the Ingles study demonstrates that the emigration right is an "indispensable" condition for the full exercise of all other rights.

Deprivation of the right for racial, ethnic or religious minorities, the study emphasized, can have cataclysmic psychiatric consequences. The curtailment impact upon a minority already "singled out for unfair treatment" will result in a "spiralling psychological effect" leading to a "morbid fear of being hemmed in" and "a sort of collective claustrophobia." Prominent American psychologists, following visits to Soviet Jews who have sought repeatedly and unsuccessfully to emigrate, have observed a myriad of distress symptoms.

Tragically, the Soviet Union has reduced Jewish emigration to a trickle, the worst in over a decade. The month of August saw only 400 permitted to leave as compared with some 4500 two years ago—a drop of 90 per cent. The new September figure is as low—405.

Despite Moscow's claimed adherence to the Universal Declaration of Human Rights, its ratification of the Covenant on Civil and Political Rights and its formal acceptance of the Helsinki Final Act—all of which require eased emigration procedures—arbitrary and capricious restrictions have been imposed during the past two years to reduce to minuscule levels current exit visas for Jews. Stepped-up bureaucratic obstacles were added to a new and severely restrictive definition of "family" to effect such results.

How many are traumatized by the profound cut-back? Since 1968, over 630,000 Soviet Jews have formally requested and received invitations ("vizov") from relatives in Israel, which is the first stage in the emigration process. More than 251,000 were granted exit visas during this period. That means that 380,000 Jews in the USSR still hold invitation-affidavits, potential seekers of emigration. In fact, the potential is significantly greater. It is estimated that the emigrants left behind approximately 500,000 relatives including husbands, wives and children. Divided families were an inevitable source of the cry for "reunion of families."

Particularly heart-rending is the status of refuseniks, whose requests for exit visas have been repeatedly rejected. Many have waited over a decade to obtain a visa, meanwhile subjected to job loss, exclusion from laboratory and library, and social ostracism. New regulations make it difficult to re-apply even as they add totally new restrictions, resulting in the profoundest anguish. Approximately 2,000 persons had been in the category of refuseniks until 1980. Since then, recently-imposed obstacles have augmented the category by an additional 10,000—a conservative figure. The latter are by no means activists and are, therefore, psychologically unprepared for living in a veritable netherworld of ostracism which characterizes the status of refuseniks.

Despair, anxiety and frustration are the distinguishing features of the emigration pattern. The Ingles study had already highlighted the terribly traumatic consequences. The future is one of desperation and panic.

What compounds the desperation is the massive racist propaganda assault against Jewry initially launched in August 1967 in all the media. But thinly masked as an anti-Zionist campaign, in fact the drive has been directed against Judaism, Jewish tradition and Jewry itself. Stereotypic images of the Jew dominate the descriptions of Zionism, and the Judaic concept of the "Chosen People," totally distorted and falsified, is perceived as the source of the Zionist evil.

The Torah and the Talmud have been presented as works preaching racism, hatred and violence. Fundamental Jewish tenets, distorted and vulgarized, are seen as the embodiment of inhuman aspirations. Typical is the following comment on the Torah from the book *Invasion Without Arms* by Vladimir Begun, published in 1977 in an edition of 150,000 copies (and republished in 1980): "... it proves to be an unsurpassed textbook of bloodthirstiness, hypocrisy, treachery, perfidy and degradation—all the basest human qualities."

The propaganda campaign appears to draw its inspiration from the Tsarist forgery, "The Protocols of the Elders of Zion." That fabrication contained five principal themes and these themes dominate Soviet anti-Semitic writings: 1) international Jewry, through the "Chosen People" concept, aspires to world domination; 2) this aspiration is to be achieved through guile and conspiracy; 3) an especially powerful mechanism for achieving world domination is Jewish control over the international banking world; 4) equally crucial for Jews as a mechanism of control is the press, the manipulation of which will enable them to realize their aspirations; and 5) a final instrument for attaining world domination is Freemasonry which, through infiltration by Jews, will become the base for the drive by the "Chosen People."

Each of these themes has appeared repeatedly in the Soviet media. Central is the view that the "main strategic goal" of the Zionist movement, as the above-mentioned Begun book puts it, is "domination over the world." Even so-called respectable works, like *International Zionism: History and Politics*, published in 1977 by the prestigious

Soviet Academy of Sciences, articulate the same view, although in a more subtle manner. The concentration on Zionism as the enemy of mankind is remarkable. Zionism is equated with every conceivable evil—racism, imperialism, capitalist exploitation, colonialism, militarism, crime, murder, espionage, subversion, terrorism, prostitution, even Hitlerism.

Especially provocative are repeated charges that Jews overwhelmingly dominate the military-industrial complex of the West, and, in the past, collaborated with Nazism, an allegation that verges on the absurd. Such accusations, given the experiences, fear, and anxieties of Soviet citizens, are manifestly incendiary. What compounds the provocative character of the charges is that they are made in major military-ideological publications and are used in indoctrination programmes of the armed forces. The most prolific of the Soviet anti-Zionist writers, Lev Korneyev, more frequently than anyone else, gives expression to these arguments. His articles have appeared in virtually every Soviet press organ, and most notably, in military publications.

What is striking about the Soviet perception of Zionism, as reflected in the propaganda, is the power and evil with which it is endowed. As in the *Protocols*, the power is depicted as cosmic, even Satanic. Poised to resist Zionism's aspiration for world mastery is the great Soviet power. The world is perceived in Manichean terms: the forces of darkness, representing Zionism, are locked in final struggle with the forces of light, as represented by the Soviet State.

The massive character of the Soviet media campaign, obviously centrally coordinated and directed, cannot be emphasized too strongly. Since 1967, according to a close study of the central and provincial Soviet press, the number of articles and the amount of newspaper space dealing with Zionism increased as much as six times over. (Some years it reached even higher and on one occasion was twenty times greater than pre-1967). Zionism was the main subject of at least one-half (and, in some years, two-thirds) of the newspaper space devoted to Jewish subjects. In addition, the total number of anti-Semitic books and brochures escalated to stunning numbers. One research study shows 112 such works published in the 60s and 70s. Some of these books were printed in huge editions of 150,000 or 200,000 copies and were enthusiastically reviewed in the Soviet press.

In addition to press and books, the anti-Semitic propaganda is also conducted by way of lectures, an important vehicle of popular education and cultural activity in the USSR. According to a key journal, in a single year there were 20 million official public lectures, with audiences totalling one billion persons. A secret Communist Party directive in autumn 1974, sent to each Party District Committee, called for the important Znanie (Enlightenment) Society to select, train, and make available a group of lecturers "to give lectures on Zionist themes." Thus, the lecture hall became a principal channel of the anti-Zionist drive. One of the more prominent lecturers of the Znanie Society who has specialized on Zionist themes is Valery Yemelyanov. Examination of two of Yemelyanov's lectures as well as a memorandum he sent to the Party Central Committee reveals a maniacal hatred of Jews. Recently, Yemelyanov, after murdering his wife, was incarcerated in an institution for the criminally insane.

If the public atmosphere has become charged with anti-Semitic racism, it finds particular reflection in the admission policy of Soviet universities, which are the key to opportunity and advancement. The distinguished Soviet scientist, Andrei Sakharov, in June, 1968, called attention to a new "ap-

pointments policy" of the prestigious Soviet Academy of Sciences designed to exclude Jews. From the academic year 1968-69 onwards, admission of Jews to Soviet universities began plummeting. Enrollment of Jews a decade later, on both the undergraduate and graduate levels, was down by nearly 50 per cent and, at the principal flagship universities like Moscow State University, the number annually admitted was almost negligible.

Ineluctably, the percentage of Jews entering the technological, and scientific fields diminished. The contraction was helped along by secret or unpublished instructions. A confidential Party directive in 1970 discouraged the employment of Jews at "responsible levels" in various closed security institutions. Such institutions, Roy Medvedev disclosed, will even exclude those listed as Russians in their identity papers but whose mother or father is Jewish. The Nuremberg generational or "blood" factor had become critical.

Even as anti-Semitism is implemented as a form of state policy, Soviet Jews find themselves particularly vulnerable by virtue of the fact that their institutional life and structure has all but been pulverized by a state drive launched in 1948 and continued since then. Yiddish-language schools and classes were totally liquidated. A token restoration took place last year in several schools of the city of Birobidzhan. But the number of Jews in the entire Birobidzhan District is infinitesimal—only one-half of one percent of the Jewish population of the USSR.

The condition of the Hebrew language is even worse. On an official level, it has virtually no status whatsoever. The private (unofficial) teaching of Hebrew has deliberately not been made legal by the authorities and they often interfere with the practise subjecting both teachers and students to repression.

A sample study of Soviet Jews, including those who do not wish to emigrate, shows that most would like their children to learn Yiddish or Hebrew, to be able to buy books on Jewish history, and to have greater opportunities for Jewish culture. But this aspiration is almost completely denied. Aside from one journal, communal-cultural and publishing institutions have been obliterated. None of the more than 100 other nationalities in the USSR is confronted by such a total cultural desert as is the Jewish nationality.

Private efforts to maintain some semblance of Jewishness are being either seriously harassed and intimidated or crushed. Seminars have been threatened and international scientific conferences sponsored by Jewish activists in which colleagues from abroad participate have been halted. Self-organized universities have shut as have *samizdat* publications.

Especially threatening to the very movement for self-identity are the arrests and convictions of those who have provided a certain leadership in the cultural effort. The notorious case of Viktor Brailovsky, convicted this past summer on absurd charges of "defamation", is characteristic. Since then, one-half dozen further trials were held to silence selected activists and to frighten the others.

Not only are Jewish institutions to be atomized; so also is Jewish consciousness. All assemblages by Jews to commemorate the Holocaust have been dispersed and participants roughed up and, at times, arrested. Even the greatest symbol of the Nazi Holocaust on Soviet soil—Babi Yar—is designed by the authorities for history's "memory hole." Nothing on the monument, finally erected at the site of the historic tragedy, indicates the Jewish trauma. Jews seeking to go there last Tuesday for memorial services were either stopped or terrorized or arrested.

It is manifestly clear that the Kremlin intent is to deprive Jews of their past. At the same time, the officially sponsored racist

propaganda drive and discriminatory pattern, has the effect of depriving Jews of their future. Emigration is their only salvation. With the doors all but closed, agony becomes desperation. For them, a "national catastrophe" looms as a real and palpable threat. ●

TRIBUTE TO BOB UFER

● Mr. LEVIN. Mr. President, yesterday, football fans of the University of Michigan and all of college football lost a legend of football announcing. For 37 seasons, Bob Ufer was the voice that ballyhooed the exploits of the maize and blue in the hole the Yost dug, Crisler paid for, Canham carpeted, and Bo Schembechler fills each and every Saturday with amazing consistency.

Each Saturday, the airwaves would fill with the tones of Bob Ufer, the loyalist supporter of the Michigan Wolverines, describing the game he called the "religion" on the day he dubbed the "holy day of obligation." To say that Ufer was anything but "true blue" could be likened to questioning the Catholicism of the Pope.

With stories of past Wolverine greats to draw upon, Ufer exhorted "McCarthy's Monsters" to hold the line just one more time. If that did not work, he would sob, "Meesheegun, oh, Meesheegun win this one for Fielding Yost, that man of so much vision, for Herbert Fritz Crisler, that giant among coaches and men, win it for Bo and Meesheegun, win it for Ufer."

With Edwards close and Butch "don't call me Harold" Woolfolk deep and Smith under center and Carter split wide, the ball is pitched to Woolfolk and it is five, four, three, two, one, touchdown Meesheegun. Ufer would then scream, "God Bless his cotton pickin' maize and blue heart, that halfback scooted into the end zone like a penguin with a hot herring in his cumberbund."

Bob Ufer led the mighty Wolverines into battle against Notre Dame, USC, Michigan State, and the rest of the Big Ten. But he will be best remembered for those games against the "scarlet and grey legions" led by the Wolverines oldest nemesis, Woody "Dr. Strange-Hayes" Hayes.

Boy Ufer's sincerity, dedication, and enthusiasm will never be matched in the "history of man's inhumanity to man" which is football to the rest of us. With victory well in hand, Ufer would proclaim, "Millie set out the cookies, Bo is coming home with a victory."

History will record that on Monday, October 26, 1981, in Little Ann Arbor town, Bob Ufer, the truest of all Wolverine fans, took his place among the greats of Michigan football. He will be missed.

Wherever you are, Fielding Yost, I am sure you are smiling. God bless your cotton-pickin' maize and blue heart. ●

TOBACCO RESEARCH

● Mr. EAST. Mr. President, much debate has occurred recently on the tobacco price support loan program. Some attack the acreage allotments and poundage quotas, while others speak of the so-called "tobacco subsidy." The smoking and health issue is also inappropriately linked with the tobacco program.

But no one has disputed tobacco's importance to our economy, especially in the areas of exports and taxes.

Research has played a vital role in making and keeping tobacco the economic factor it is. Many of the practices and much of the knowledge utilized today on a regular and routine basis came about because of tobacco research.

Dr. James F. Chaplin, director of the Tobacco Research Laboratory at Oxford, N.C., has written an excellent article on tobacco research and its accomplishments. I think this article effectively points out the need for continued research in tobacco.

I submit Dr. Chaplin's article to be printed in the RECORD.

The article follows:

A BRIEF HISTORY OF TOBACCO RESEARCH IN THE U.S. DEPARTMENT OF AGRICULTURE AND SOME SELECTED ACCOMPLISHMENTS—1960-1980

Tobacco has been an important economic factor during the first two centuries of the development of the United States. In 1980, the farm value of tobacco was about \$3 billion, and it currently ranks fifth among farm crops in cash receipts in the United States. Approximately 500,000 farm families derive income from tobacco production. The United States is the world's leading tobacco exporter and the third largest importer. In 1978, exports of tobacco and tobacco products reached an all-time high of \$2.12 billion. Imports totaled \$428 million, leaving a record trade balance of \$1.69 billion—about 10 percent of the U.S. net export trade balance. Tobacco products generate over \$20 billion in sales and \$6.4 billion in taxes at Federal, State, and local levels. In addition, tobacco manufacturing creates jobs for 76,400 workers and income for 2,900 wholesalers and 1.4 million retail outlets.

The Department's tobacco research is conducted in close cooperation with research programs carried out by the States, other Federal agencies, and industry in the tobacco-producing areas of the United States. The caliber of this research is well recognized by scientists in other tobacco-producing countries around the world.

While no cost benefit analysis for tobacco research is available, highly favorable results easily can be shown. For example, resistance to only one disease, black shank, necessary to produce flue-cured tobacco in the areas where this very valuable crop is grown, would much more than offset annual research expenditures.

The objective of the Department's tobacco research program prior to the mid-1960's was to aid the grower in economical tobacco culture by development of new or improved cultural practices and varieties to aid in consistently producing, at minimal cost, high yields of good quality tobacco.

During recent years, emphasis has been given to research to modify the raw product so as to improve quality and reduce any constituents that can be identified as potentially harmful to the consumer.

I. BREEDING AND VARIETAL DEVELOPMENT

The U.S. Department of Agriculture (USDA) has a long history of accomplishments in tobacco breeding and varietal development. It maintains the only world collection of tobacco germplasm representing most of the cultivated types and all of the wild tobacco species. This major source of germplasm is continually reproduced, improved, and supplied to all tobacco breeders, both public and private. Many of the breakthroughs in research on all tobacco types have come from this collection.

These include resistance to such destructive diseases and pests as Granville (bacteri-

a) wilt, root knot nematode, wildfire, tobacco mosaic, potato virus Y, black-root-rot, blue mold, and tobacco budworm. Most of the tobacco types and varieties currently produced in the United States contain germplasm developed by the USDA. In addition, this germplasm base is presently being used in research designed to change tobacco chemistry for improved tobacco quality and safety. Some significant first examples of improved tobacco varieties and basic germplasm are outlined as follows:

The first black shank-resistant and the first Granville wilt-resistant flue-cured tobacco varieties were developed by USDA scientists. Flue-cured tobacco sales return over \$1.5 billion annually to growers. This tobacco could not be grown economically without black shank resistance. Most of the flue-cured varieties presently in production incorporate sources of resistance to black shank and Granville wilt diseases.

Since 1960, USDA scientists have developed 12 flue-cured varieties and 20 lines of basic germplasm with increased disease resistance, yield, and quality. Among these was the first variety which combined resistance to the root knot nematode, black shank, Granville wilt, and other diseases. This variety, once important in two flue-cured tobacco production States, now provides germplasm for all the presently grown root knot-resistant flue-cured varieties in the United States. Over 50 percent of the flue-cured acreage presently is planted to root-knot-resistant varieties. The first tobacco mosaic-resistant flue-cured breeding lines and varieties with acceptable yield and quality were developed by USDA scientists.

Tobacco hornworms are among the oldest and most destructive insect pests of tobacco. It is estimated that this insect causes damage to North Carolina flue-cured growers alone in excess of \$2 million annually. A tobacco hornworm-resistant breeding line, representing the first breakthrough in efforts to develop a tobacco variety resistant to this insect, was developed. The discovery of a source of hornworm resistance is a significant development in our overall effort to find biological control agents for major crop pests and represents one more step forward in reducing dependence on insecticides.

Potato virus Y (PVY) is a potentially destructive disease which has occurred sporadically in the tobacco growing areas of the United States. There is no known cure at present. A tobacco breeding line has been developed which will contribute to the development of commercial varieties with resistance to PVY disease. The new line possesses many favorable traits of a commercial variety and has tolerance to the mild strain of PVY and apparent immunity to the severe strain of this disease.

The first variety of burley tobacco resistant to tobacco mosaic, wildfire and black shank was developed by USDA scientists. Before the development of this variety, plant beds were treated with costly bactericides for control of the wildfire disease. This variety also reduced losses to the burley growers caused by black shank and mosaic. All burley varieties now available have the basic germplasm for wildfire resistance from the original USDA source. The USDA has continued to develop burley varieties and breeding lines with improved yield and quality characteristics along with resistance to disease.

Since 1960, USDA scientists have developed and released seven burley varieties and four lines of basic germplasm with improved disease resistance, yield, and quality. A recent article in the *Greenville, Tennessee, newspaper* indicated that the research at one station in Tennessee, where tobacco research has largely been funded by USDA, "has saved the tobacco growers hundreds of millions of dollars in preventing losses from disease and in producing plants that are most productive and profitable to the farmer."

A major accomplishment in tobacco varietal development was the incorporation of black-root-rot resistance from one of the wild relatives of tobacco into acceptable varieties of burley and dark-fired types. Black-root-rot was a major disease of the air-cured tobaccos. In addition, seven dark-fired varieties have been developed and released which have resistance to black shank and tobacco mosaic.

Other breakthroughs in varietal development include wildfire resistance in cigar binder tobacco. A new race of the disease has recently been discovered, and USDA scientists have already developed germplasm that is resistant to the new race and which is being incorporated into useful varieties.

As a result of research over a 10-year period, 2 disease-resistant varieties of a cigar-filler tobacco were released in 1961 by USDA. One of the varieties is highly resistant to wildfire. The other variety is highly resistant to both wildfire and mosaic, and moderately resistant to black-root-rot. The new varieties yield 200 to 400 pounds per acre more than the standard varieties and have resistance to 2 very destructive diseases of cigar filler tobacco. Since that time, an additional variety of cigar filler tobacco has been developed.

Blue mold is a potent, destructive disease of tobacco, and USDA scientists have been instrumental in developing improved germplasm for resistance to this disease. A cigar wrapper tobacco, resistant to the blue mold disease, was developed by USDA and State scientists and is presently being used to develop other types of tobacco with resistance to this disease.

More recently, rapid breeding procedures such as the haploid technique and cell and tissue culture have been developed and refined. These techniques make possible introduced biochemical modifications of considerable magnitude into new tobacco germplasm strains. Haploid plantlets which develop from cultured anthers of tobacco are placed in a solution of colchicine to induce chromosome doubling of haploids to the normal diploid chromosome level. The diploid plantlets are true-breeding immediately. The method offers the advantage of reducing to 2 years the normal 6 to 8 years required to develop new lines and varieties with desirable chemical characteristics or resistance to insects and diseases. Through this rapid method, the production of more than 1,000 dihaploids from a single hybrid anther source was accomplished in 1979.

II. NUTRITION AND CULTURAL PRACTICES

Much of the early research in nutrition and cultural practices was conducted by USDA scientists, who discovered the first magnesium deficiency in tobacco. This was a landmark discovery which led to elimination of this problem in tobacco and other crop plants through the application of magnesium in commercial fertilizer.

Substitution of potassium nitrate for ammonium and potassium sulfates significantly increased acre yields and values of the cured tobacco leaf (more than 20 percent). A marked reduction in sulfur content, striking improvement in burning properties, increased filling capacity, and lower sugar content in the cured leaf were associated with the substitution of potassium nitrate for ammonium sulfate and potassium sulfate. Based on these and other results, sulfur content with tobacco fertilizers has decreased.

There has been considerable controversy about the use of maleic hydrazide for tobacco sucker control and research has been conducted to find alternative control methods. Technologies for the control of tobacco suckers by fatty acids and fatty alcohols have been developed by USDA scientists and are now used in combination with maleic hydrazide to improve sucker control without increasing chemical residues.

The fatty alcohols developed to control to-

bacco suckers also controlled unwanted growth in woody plants. These findings were used as the basis for development of chemical pruning of fruit and floral crops, resulting in improved production efficiency by reducing hand labor requirements. The development of the fatty alcohols was termed by some horticulturists as the most important advancement in horticulture in the 1960's.

A spray rig assembly was adapted to a high-clearance sprayer that directed the spray solution of maleic hydrazide (MH) toward the stalk and downward. This technique improved control with fatty alcohols. In combination with MH, its use reduced residues 50 percent without impairing control. In addition, it was found that an application of fatty alcohols following the MH treatment improved control. The complete system will reduce chemical residue, especially of MH, and still offer the grower sucker control.

III. IMPROVED TOBACCO SAFETY

In the mid-1960's, USDA research on tobacco shifted gradually toward improved tobacco safety. The current program of USDA's Science and Education Administration on Improved Tobacco Safety is the only program in the world with research extending from seed to cigarette smoke with the objective of reducing potential hazards due to tobacco consumption. This represents a melding and coordination of diverse tobacco research into a unified program designed to reduce or remove potentially hazardous constituents from the leaf or smoke. Recent accomplishments in this program include the following:

Reduction of nicotine and tar. Genetics and cultural production methods influence the levels of nicotine in leaf and smoke and TPM (tar) in smoke. Germplasm has been developed by USDA scientists with nicotine levels ranging from about 0.2 to 4.0 percent nicotine in both burley and flue-cured types. Low nicotine lines have been developed and released for both flue-cured and burley tobacco types. These lines have been used extensively in smoking and health research studies by the National Cancer Institute. The nicotine-to-tar ratio is important. Progress has been made in changing the ratio to reduce potential risk from smoking.

Reduction of pesticide residues. In order to reduce pesticide residues, new methods for controlling diseases, nematodes, and insects, as well as less persistent growth regulators, have been or are being developed. Successful tobacco production depends upon the control of diseases, nematodes, and insects in the field and in the storage warehouse.

Some outstanding results have been obtained in biological control. Tobacco leaf-spot diseases have been controlled by field application of organisms which are antagonistic to the disease pathogen. Practical methods for biological control of foliar diseases could be achieved in the near future. Research is in progress to control the tobacco hornworm and tobacco budworm through biological means with the use of pathogens and predators. An effective pathogen, *Bacillus thuringiensis*, is now available which leaves no undesirable residues and is not harmful to beneficial insects. Also, the spined stilt bug, a predator, is being produced and released in strategic areas, thereby using a beneficial insect to control one that is harmful. Strains of tobacco have been identified which are resistant to budworms and hornworms. The accomplishment of these objectives will make it possible to further reduce pesticide residues in U.S. tobacco.

Insects such as the cigarette beetle are very destructive to stored tobacco and can inflict such damage as to render the stored leaf virtually worthless. In research studies on stored tobacco for insect control with

minimal chemical residues, methods were developed by USDA scientists for fumigation with phosphine in storage warehouses. These methods gave excellent control in packaging units of tobacco up to hogshead size. Also, methods were developed for applying dichlorvos in an aerosol from automatic dispensing systems. During seasons when insects are active, dichlorvos is automatically dispensed on a regular basis. Residues of phosphine are about 0.5 parts per billion, and dichlorvos is not detectable on tobacco. These methods are presently being used for control of insects on stored tobacco.

Homogenized Leaf Curing (HLC). Curing of the ripe, mature leaf is done on the farm as the final stage of tobacco production. Chemical and physical leaf characteristics are set at harvest and may not be significantly modified under conventional methods of tobacco curing.

However, homogenized leaf curing (HLC), a new approach developed by USDA scientists, offers the possibility of making changes during the cure. Precursors of undesirable smoke constituents can be removed. HLC can be used to make reconstituted sheets of pre-described thickness, porosity, or any other features desirable in the manufacture of cigarettes. Studies with flue-cured and burley tobacco have given promising results for maintaining smoke quality and reducing tar delivery and biological activity. For example, removal of soluble proteins during HLC has the potential to reduce the allegedly harmful compounds hydrogen cyanide, oxides of nitrogen, and quinolin content.

Tobacco treated to reduce health hazards. A method was developed by USDA scientists for the treatment of tobacco with ozone to effect decomposition of leaf components responsible for the formation of much of the tumor-producing hydrocarbons (PAH) in cigarette smoke. Ozonization yields tobacco which, when burned, produce smoke with as much as 83 percent less hydrocarbons and 87 percent less nicotine. This technique constitutes a new approach with high potential toward the development of a less hazardous cigarette.

Association between leaf characteristics and smoke components. A comprehensive study was completed to examine simple correlations and multiple regressions among leaf characteristics and smoke components. Four flue-cured and four burley tobacco varieties, each with leaves from eight stalk positions, were used. More than 270 variables were investigated, among them leaf and agronomic characteristics and cigarette and smoke components. The results clearly indicated that certain leaf characteristics can be used to predict total smoke delivery for individual smoke components. These findings demonstrated that modification of these characteristics through genetic, cultural, or curing manipulations can lead to the development of safe leaf tobacco.

Reduction of health related compounds by breeding. A pale yellow tobacco developed by USDA scientists produced 10 to 30 percent lower levels of polynuclear aromatic hydrocarbons (PAH) than normal green tobacco. This decrease in PAH is considered important since it is believed that the PAH contributes to the biological activity of the tobacco smoke.

Smoke chemistry. Research in smoke chemistry has made much progress in the past 10 years. Smoke consists of an aerosol of gases and suspended particles. More than 2,500 compounds have been identified, and USDA research has contributed significantly to knowledge about the number of known constituents. The identification of these compounds will aid in their selective removal or alteration through breeding, cultural practices, and manufacturing processes. The following examples of this research are by no means inclusive:

Tobacco leaf pigment, lignin, and pectin gave relatively high yields of phenols on heating to high temperatures. The phenols are smoke constituents which may exert undesirable effects in the tobacco smoke. The possible role of leaf pigment in the generation of certain harmful compounds known to be in smoke has been investigated thoroughly.

The hexane-soluble fraction of flue-cured tobacco has been pyrolyzed to evaluate the importance of its contribution to the formation of aromatic compounds, especially polynuclear aromatic hydrocarbons (PAH), present in cigarette smoke. Estimates of benzo(a)pyrene levels in pyrolysates indicate that nearly two-thirds of the amount produced during tobacco pyrolysis may be attributed to the hexane-soluble components of leaf which comprise only 6 percent of dry weight.

Official analytical methods for tar and nicotine in cigarette smoke and nicotine, nor-nicotine, nitrogen, potassium, chloride, menthol, and moisture in tobacco have been developed through collaborative tests.

A rapid and quantitative method has been developed for the analysis of the tobacco sucker control agent maleic hydrazide. The method is 20 times more rapid and 10 times more sensitive than the currently used colorimetric method.

IV. HIGHLY NUTRITIOUS PROTEIN FROM GREEN TOBACCO AS A BYPRODUCT

Fraction 1 protein (F-1-P), the most abundant protein in nature, has been crystallized from green tobacco leaves. Although all other green plants contain F-1-P, it has been crystallized most readily from tobacco. The nutrient value of F-1-P has been found to be very high, the equivalent of egg or milk. Possible uses of pure crystallizing protein include (a) nutrition of medical patients requiring controlled protein and mineral intake, such as kidney disease patients to reduce dialysis frequency, and (b) infant formulas to avoid milk allergies. Fraction 2 protein (F-2-P), a mixture of other soluble proteins about equal to F-1-P in nutritive value, has also been extracted from tobacco. A simplified, high-yield crystallization procedure for extracting Fraction 1 protein from homogenized tobacco has been developed. This procedure should be adaptable to large-scale operations.

U.S. DEPARTMENT OF AGRICULTURE SCIENCE AND EDUCATION ADMINISTRATION Agricultural Research Tobacco Research

Year:	Amount (thousands)
1981	\$5,216
1980	4,987
1979	5,182
1978	5,533
1977	5,191
1976	5,019
1975	4,891
1974	5,549
1973	4,937
1972	4,931
1971	4,390
1970	4,435
1969	4,272
1968	4,186
1967	4,155
1966	3,959
1965	3,576
1964	1,452
1963	1,089
1962	953
1961	758
1960	669
1959	668
1958	621
1957	598
1956	442

Prepared by: Science and Education Administration, Budget Division, March 1981.●

CZECHOSLOVAK INDEPENDENCE DAY

● **Mr. WEICKER.** Mr. President, today is Czechoslovak Independence Day. On October 28, 1918, the independent Republic of Czechoslovakia was proclaimed. The historic struggle that had been waged for centuries by the Czech and Slovak peoples for their national liberation from the Hapsburgs ended. With the goal of self-determination of nations espoused by Woodrow Wilson in mind, Czechoslovaks had rallied to the allied cause and helped defeat the Central Powers in the First World War. Here in America, Czech Americans had volunteered in large numbers. Those who could not fight had bought war bonds making the Czechs the people that bought proportionally more bonds than any other foreign-born group. An espionage service of Czech Americans, led by Emanuel Voska, had supplied the allies with key information on German and Austrian activity in the United States.

The defeat of Germany and the Austro-Hungarian Empire assured the birth of the independent nation. In the years following the war, Czechoslovakia enjoyed a thriving democracy under the leadership of their great statesman Tomas Masaryk. Agrarian reform improved the lot of the peasants. Progressive social legislation gave needed security to workers. Craftsmen and small industries flourished. All indications pointed toward a long and favorable future for the new republic situated in the heart of Europe. Unfortunately, such hopes were to be done in by a man named Hitler.

Mr. President, in September 1938, faced with the threat of imminent war and isolation from the rest of Europe, Czechoslovakia was forced to accept the infamous Munich agreement, thus giving up a fifth of their territory to Nazi Germany. Hopes that Hitler would keep his word and make no more territorial claims were soon dashed. Within 6 months German tanks stationed themselves in Prague and Czechoslovakia ceased to exist as an independent nation.

World War II caused great suffering for the Czechoslovakian people, but by 1945, they had regained their independence. Overjoyed with the victory over the German war machine, few people were prepared for the encroachments of their Russian neighbor. In 1948, the postwar coalition government was toppled by the Communists. In the ensuing years, the government took complete control over business, industry, agriculture, religion, and education. Secret police intimidated the populace, imprisoning all who offered opposition.

In 1963, Czechoslovakians fought back against their restrictive government. Under Alexander Dubcek, a program of liberal reforms was introduced emphasizing freedom of expression and contact with the non-Communist world. The flame of hope rose high only to be dashed again by the grim arrival of Soviet tanks and troops from the Communist nations. A year later Dubcek was replaced, reformists were purged.

Mr. President, there will be no cele-

brations in Czechoslovakia today. No parades in the streets or fireworks in the sky. In the dark shadow of the Soviet empire, the people continue to exist in subjugation. But as the world has learned and will learn again: with brutality comes resistance, with suffering comes aspiration and with ordeal comes strength. Buried deep in the souls of Czechoslovakians, the coal of freedom continues to burn, giving warmth to their hopes. Here in the United States, all Americans, Czech, and of other descent, pause on this day to recognize those hopes and the force that keeps them alive. Liberty cannot be shackled forever. One day we shall celebrate the rebirth of a free Czechoslovakian nation in a free Europe in a free world. ●

CONRAD SCHWIERING DAY

● Mr. WALLOP. Mr. President, today's events will produce an important decision affecting our Nation and other Western industrialized economies and our Saudi Arabia oil artery. October 28, however, also marks an important day in my home State of Wyoming. Today, Wyoming is honoring one of America's most well-respected, contemporary Western artists, Conrad Schwiering. Since I cannot personally attend the festivities in his honor, I ask that the following statement, which is being delivered to day at the Casper Country Club on my behalf, be printed in the RECORD.

The statement follows:

STATEMENT FOR CONRAD SCHWIERING DAY BY
SENATOR MALCOLM WALLOP

Friends, today we honor a man who has truly devoted his life, and his work, to immortalizing the abundant beauty so generously bestowed upon Wyoming, and to capturing the diverse aspects of our Western way of life. It has been said: "In Conrad Schwiering, God gave us a man to match our mountains."

Gazing upon a Schwiering painting we sense this man's love for his native land. In many of Connie's Teton landscapes we can almost smell the Western scents of sage, pine and even old leather. Yet, as much as Connie's art typifies Western life, it also stands alone for the mood and the personal impression of Wyoming that it imparts to each of us. His work beautifully preserves a part of home for us all.

Connie's rare artistic talent, and potential for greatness, have been evident to many since the first colorful stroke of his brush across a canvas some 30 years ago. And today, the time has finally come to recognize his tremendous contribution to American art in general, and Western art in particular. I offer my congratulations on your day, and on your selection—as the first Wyoming artist—to be presented with the National Cowboy Hall of Fame and Western Heritage Center's gold medal of the National Academy of Western Art.

While we honor the artist, however, we must also take time to thank Mary Ethel for her love, patience and contribution to Connie's art, and for her service to the Jackson community. Every person in Wyoming benefits from the Schwierings community involvement and the many tasks they selflessly perform. Your impression has been indelibly etched upon our state, and we are very proud of you both. Thanks for every-

thing from all of us. You have made our lives special. ●

STRATEGIC NUCLEAR FORCES

● Mr. MATHIAS. Mr. President, on Monday, October 19, the Senator from Illinois (Mr. PERCY) chairman of the Foreign Relations Committee, addressed the 55th annual dinner of the Cal Tech Associates on President Reagan's announced plans for modernizing our strategic nuclear forces. I believe that any American who is trying to reach an informed judgment on the President's proposals will find Senator PERCY's remarks illuminating and useful.

He examined these proposals in depth, assessing both their contributions to improving our Nation's strategic deterrent forces and their impact on future prospects for arms control agreements.

He quite rightly points out that "no administration in recent times has ruled at one time on so many strategic programs." Now the Congress is charged with the responsibility of evaluating what President Reagan has proposed. I ask that Senator PERCY's remarks be printed in the RECORD.

The remarks follow:

REMARKS BY SENATOR CHARLES H. PERCY

I am honored to have been invited to provide the keynote address to this, the 55th Annual Dinner of the Cal Tech Associates. It is a great pleasure to be back among so many good friends. Tonight, I want to discuss with you a matter of profound importance to international security.

On October 2d, President Reagan announced a sweeping plan for strengthening and modernizing U.S. strategic forces. As Secretary of Defense Weinberger noted in presenting the plan to Congress, "not since the Eisenhower years has an Administration proposed a strategic program of such breadth and scope." While previous Administrations have made major decisions on one or another strategic weapons systems, no Administration in recent times has ruled at one time on so many strategic programs.

President Reagan's plan is massive both in terms of cost and scope. If fully funded by Congress, the various strategic modernization and enhancement programs would cost \$180 billion over the next six years, a sum which exceeds the entire budget for the United States just fourteen years ago.

Furthermore, the plan will affect every aspect of our current strategic posture, including the air, sea, and land-based legs of the so-called strategic "triad", the command, control and communications (or "C3") network that links the Triad with national command authorities, and strategic defenses such as radars, fighter interceptors, and civil defense. It is no exaggeration to say that the ultimate Presidential and Congressional decisions on this comprehensive package will determine the basic outline of U.S. strategic deterrence well into the next century.

In my remarks this evening, I would like to address two separate, but critically related, dimensions of the President's proposals. First, I will discuss whether the package is, for the most part, strategically sound. Second, I want to examine what opportunities it presents for genuine arms limitations, or even significant arms reductions.

Let me begin by discussing the five elements of the package in turn, starting with the President's decisions on new bomber aircraft.

B-1 BOMBER

President Reagan's decision to go ahead with the deployment of 100 B-1 bombers while continuing research and development on an Advanced Technology Bomber that can virtually evade radar detection, known as "stealth," strikes me as the most prudent and sensible course which he could possibly have followed. Our existing B-52 bombers were built in the 1950s and 1960s and are becoming increasingly costly and difficult to maintain. We simply cannot wait any longer to decide on a proper replacement for these aircraft. The issue, then, is whether we should go now with the B-1, followed in time by the "stealth" bomber, or try to leapfrog directly to "stealth", skipping the B-1 altogether.

The problem with the latter course is that the "stealth" bomber is still just a design and the first test aircraft will not fly for at least another three years. While the basic concept shows considerable promise, many technological and design uncertainties remain. History has repeatedly shown that programs which are rushed through on a crash basis result in cost overruns and sub-optimal performance. The "stealth" program is too important to be pursued imprudently. By going with the B-1 now, we will gain the time needed to get the "stealth" program right while at the same time capitalizing on the \$6 billion already invested in developing the B-1 bomber. If the "stealth" bomber should become available sooner than we think, we can always shift funding from the B-1 to the "stealth."

Let us, for a moment, try to think through what has been called the unthinkable—a nuclear war. Some critics have charged that in the event of war the B-1 would not be able to penetrate Soviet air defenses and thus should not be built. In my view, this argument is based on unrealistic assumptions regarding likely combat scenarios. If, in World War II, the United States had decided that it would build no B-17s or B-29s unless they were invulnerable to German or Japanese defenses, we would have built no bombers and may well have lost the war. Then, as now, the success of a bomber attack depended more on tactics and mass than on the invulnerability of a single bomber in a strictly technological sense.

B-1 bombers on nuclear retaliation missions would reach Soviet airspace several hours into all-out nuclear war and encounter an air defense network left in shambles by prior U.S. missile strikes on key Soviet airfields, radars, and command and control facilities. Moreover, the bombers could launch supersonic, nuclear-tipped Short Range Attack Missiles to take out whatever air defense installations remained in the designated penetration corridors and employ very low-level flight and newly upgraded electronic countermeasures to evade defenses in the immediate target area.

I believe that a considerable portion of the attacking force would deliver bombs on target. More importantly, I believe that Soviet military leaders must also reach the same conclusions. This knowledge—the certainty of nuclear devastation—is the essence of credible strategic deterrence. And a credible strategic deterrent has been the heart of our efforts to prevent nuclear war for the last three decades.

Lastly, I would point out that the B-1 and "stealth" are more complementary than competitive in design. Once the "stealth" is deployed in the mid-1990s, it would assume principal responsibility for the manned penetrator role. Nonetheless, the B-1 will remain fully capable of serving as a stand-off cruise missile launcher or as a conventional

bomber in support of non-nuclear military operations, such as a U.S. military deployment in defense of the Persian Gulf oil fields. The Advanced Technology Bomber, which will be optimized for speed and stealth, will not be nearly as effective in performing these missions.

MX MISSILE

Let me now turn to the second, and what may be the most surprising and controversial element of the President's strategic package, the decision to deploy 100 MX missiles in reconstructed silos in existing ICBM fields. The President's courageous and wise decision to scrap the "shell game" basing proposal for 200 MX missiles espoused by the Carter Administration represents a triumph of common sense over the arcane and inordinately theoretical justifications presented in support of the Multiple Protective Shelter scheme, originally known as the "racetrack." Since the Administration has wisely decided not to expend any more money or time on MPS, I need not belabor its many faults. However, I would note three key deficiencies of the concept:

1. Without an effective SALT II limitation on Soviet ICBMs and warheads, the basing system could be overwhelmed by a dedicated Soviet attack. The need to maintain more shelters than Soviet warheads would have committed us to a costly shelter versus warhead "race". In effect, the nuclear arms race would have had new incentives to shift into high gear.

2. With the MPS system, we would have spent billions and billions of dollars on concrete, rather than on firepower. The money saved by scrapping the MPS system will be enough to pay for the B-1 "insurance policy" even if all 100 bombers are purchased and delivered.

3. The "Shell game" approach, would have provided the Soviets with great incentives to maximize their espionage in the United States. No matter how hard we worked at deception, we would never have been fully confident that the Soviets had not cracked the deployment code and figured out which shelter held the missile. Thus we would have spent upward of \$100 billion yet felt no more secure than we do now. In fact, when one considers that the proposed MX shelters would have been one third as blast resistant as existing Minuteman ICBM silos, and one-eighth as strong as the new MX silos, we might well have felt less secure.

By contrast, the decision to put the MX in reconstructed and hardened silos allows us to avoid most of the expense of the proposed MPS scheme while preserving the enhanced deterrence afforded by the missile itself. Secretary Weinberger has estimated that this decision alone will save close to \$20 billion over the rest of the decade. If there were ever any doubts that "Cap the Knife" would try to bring his imposing record for trimming wasteful programs to bear on the Pentagon, let them now be put to rest.

In the case of the MX, as with the B-1, some critics will charge that the proposed system is not invulnerable to attack and hence should not be built. But in this case, too, I regard this line of argument to be more dependent on theoretical scenarios than on realistic notions of strategic deterrence.

I do not doubt that were the United States and Soviet Union hypothetically to agree that on a certain day and time the Soviets would under controlled test conditions launch a Soviet ICBM at a U.S. missile silo, the silo would very probably be destroyed or rendered inoperable. But what I do seriously doubt is that the Soviet Union could, with split-second precision and absolutely no warning, fire hundreds of ICBMs that would simultaneously destroy virtually all our missile silos in a "first-strike."

I can find nothing in the history of warfare that suggests that a military force could perform with such human and materiel perfection the first time out. I would recall that in last year's abortive hostage rescue raid, the U.S. military, with more experience than any other country in the world in helicopter warfare, could not keep even six out of eight helicopters in the air—this despite the most intensive preparations, training, and maintenance checks prior to the missions. And I would note that earlier this year, the first flight of the Space Shuttle Columbia was delayed for days while technicians fiddled with a balky computer—this despite having the full expertise of NASA behind the launch of that single rocket.

Under actual wartime conditions, some Soviet missiles would malfunction in whole or part. Some would achieve accuracy specifications; some would not. Some would be launched on time; some would be delayed for minutes or hours. And except for the first wave of warheads to reach their targets, succeeding salvos would have to transit an atmosphere rendered totally inhospitable by the dust, debris, radiation, blast and electromagnetic pulse generated from the first detonations, a nuclear-age version of what Clausewitz called "the fog of war." Under these conditions, countless warheads would likely be destroyed or deflected—a phenomenon known in strategic jargon as "fratricide." Soviet leaders themselves cannot help but be aware of—and hence deterred by—these same uncertainties regarding ICBM reliability and effectiveness.

I am aware that some in the strategic community have suggested that were the Soviets to confine their attack to our missile silos and somehow succeed in quickly knocking most of them out, an American President might "blink" rather than order retaliation in the hope of sparing the United States further destruction.

But I would stress that devastation from even such a theoretically "limited" Soviet strike would still inflict a scale of death and destruction unparalleled in the history of the world. According to most estimates, a Soviet attack on Minuteman and Titan silos would immediately kill tens of millions of Americans and for all intents and purposes obliterate Arkansas, Arizona, Kansas, Missouri, Montana, North and South Dakota, and Wyoming. Fallout would endanger countless millions in the East and Midwest.

I can no more imagine that an American President, after learning of devastation on this scale, would not order retaliation than I could conceive of Franklin Roosevelt deciding not to fight back after Pearl Harbor. The suggestion, now heard in Washington, that the United States would surrender rather than counterattack is, in my view, without foundation and totally at odds with the essential fiber and resolve of the American nation as I know it.

Nor, I would submit, do I believe that Soviet leaders would for an instant entertain such notions—unless, we by voicing our own doubts should so persuade them. Rather, I must believe that Soviet leaders would know that they would either have to give it their best shot, or not shoot at all. Were the Soviets to contemplate a nuclear strike on the United States, they would have to take into account not only our ICBM forces, but also our bombers and submarines. Soviet leaders are well aware that less than 25 percent of total U.S. nuclear striking power is carried by our ICBMs, and that our bombers and submarines hold the lion's share of our nuclear bombs and warheads. Against this total array of U.S. striking power, I cannot imagine that Soviet leaders could delude themselves into thinking they could win a nuclear war.

Why, then, deploy the MX at all? If a Soviet attack on the United States would provoke devastating retaliation from our bombers, cruise missiles, submarine-launched ballistic missiles, and surviving ICBMs, why not just stick with our current Minuteman ICBM forces? We could of course take this risk and trust the USSR not to be irrational. I would argue, however, that in this broader context, the MX decision still makes good sense and further strengthens deterrence. Deploying the MX in reconstructed silos does not mean that all missiles would survive a Soviet first strike, but it does mean that each MX that did survive would carry ten warheads, rather than the three on board each Minuteman III ICBM.

Moreover, by stressing MX shelters to 5000 pounds-per-square-inch (or "PSI"), we significantly narrow the Soviets' margin for error in missile accuracy. Lastly, I would point out that the billions saved by scrapping the MPS system can be channeled into other programs, such as the B-1 and Trident II missile, that diversify and strengthen our total retaliatory capability.

With respect to the three longer-term MX basing options proposed by the Administration for study during the next three years—the anti-ballistic missile, or ABM, deep underground tunnels, and a long-endurance airborne MX launcher—I would hope that the Administration would not necessarily feel bound by its self-imposed deadline of 1984 for making a final basing decision. If, after further study, these three options prove as unsound and costly as did the MPS concept, we should be prepared to continue deploying MX missiles into hardened silos. In the final analysis, we may well discover that the so-called "window of vulnerability" is not a realistic yardstick for measuring strategic force sufficiency and abandon our quixotic search for a supposedly "invulnerable" MX basing mode.

SUBMARINE MISSILE PROGRAMS

The third element in the package addresses the sea-based leg of the Triad. I support the President's decision to go forward with the more accurate and longer-range Trident II missile, which, as I stated before, provides a useful hedge against Soviet capabilities vis-à-vis our ICBM force and commend his decision to continue deploying Trident submarines, with construction now set at the more realistic rate of one per year. I would ask, however, that the Administration think through again the operational, foreign policy and arms control implications of its plan to deploy hundreds of sea-launched cruise missiles on attack submarines.

Each submarine so equipped would not likely be risked in conventional submarine operations, thus the total U.S. submarine fleet available for contending with the Soviet Navy might be drawn down. Secondly, General Bernard Rogers, the highly respected and able Supreme Allied Commander in NATO, has already cautioned that this proposal may weaken European resolve to go ahead with the deployment of land-based intermediate range nuclear missiles. And lastly, sanctioning the deployment of cruise missiles on submarines may create serious verification difficulties for future arms control efforts.

STRATEGIC C3

The fourth element of the President's package would dedicate new priority and resources to strengthening the strategic C3 network. I am sure that we all agree that our strategic forces, no matter how imposing and powerful, are useless unless national command authorities can give the order to retaliate. For too long, we have funded other defense programs at the expense of this vital

functional area. At the same time, though, I will want to examine in much greater detail which aspects of the proposed C3 enhancements are designed to preserve our retaliatory capabilities and which are intended to permit the United States to fight a protracted nuclear war. This latter concept—that we should plan for nuclear wars that endure for weeks or even months—appears to me to be totally unrealistic and could, if adopted, push us into many unwise expenditures.

STRATEGIC DEFENSE

The President's proposal to augment U.S. strategic defenses may prove to be the most questionable element of the package. Certainly we should ensure that our air defense network remains capable of maintaining constant surveillance of our borders and challenging unidentified aerial intrusions. The Soviet bomber force should not be permitted the luxury of a "free ride" on bombing missions against U.S. targets. In this context, the replacement of obsolete F-106 interceptors with the advanced F-15 is a long overdue step. However, I would question the feasibility and cost effectiveness of deploying air defenses in depth, capable of engaging and destroying any conceivable Soviet bomber attack. Similarly, I do not believe that a massive expansion of current U.S. civil defense programs would be a prudent use of taxpayer dollars.

OPPORTUNITIES FOR ARMS CONTROL

Let me turn now to a vitally important aspect of the President's strategic force modernization decisions which has been largely overlooked in the initial congressional and media reviews, namely, the significant opportunities for arms control offered by the overall package.

In the general parlance of arms control, the President's plan moves the United States in a stabilizing, rather than destabilizing, direction in the development of new strategic weaponry. The plan emphasizes bombers and cruise missiles, which reach their targets too slowly to be useful as "first strike" or counter-silo systems, and it would actually lessen the role played by the ICBM relative to the other two legs of the U.S. strategic Triad. As I mentioned earlier, the United States maintains less than 25 percent of its total nuclear warheads and bombs in its ICBM force, compared to 75 percent in the case of the Soviet Union.

Under the proposed package, the United States would acquire more bombers and Trident missiles than MX missiles, decreasing the ICBM percentage even further. Indeed, the United States would, at least initially, decommission more ICBMs than it would deploy, scrapping 54 Titan missiles while adding only 36 MXs.

By contrast, had the United States proceeded with the 200 MX/4600 shelter scheme, we would have deployed twice as many MX missiles under the President's plan, thereby increasing Soviet anxiety about the potential for a U.S. "first strike." Moreover, with the MX/MPS system, the Soviets would have been pushed in the direction of deploying thousands of additional warheads to overwhelm the shelter grid. With the MX in reinforced silos, the problem for the Soviet Union is qualitative, that is, improving warhead accuracy, and not quantitative.

The President's plan also reduces the incentives for an ABM deployment and thus reinforces the integrity of the ABM Treaty, a treaty which I still believe to be in the national security interests of the United States. In large measure, the renewal of interest in ABM in recent years has stemmed from the perceived advantages afforded ABM

if it were deployed in conjunction with MX/MPS system. Under the MPS concept, the ABM launching units would only have to fire at Soviet warheads headed for the 200 shelters that actually contained the 200 MX missiles; the ABM system could allow Soviet warheads aimed at the 4400 empty shelters to go by. With this numerical leverage, some ABM advocates believed that ABM would be cost effective.

With MX in fixed silos, though, an ABM system would have to fire at every warhead and would thus be quickly overwhelmed. Exotic technologies for intercepting ICBMs in space, before the missiles release their multiple warheads, may be conceivable in the 1990s, but for the foreseeable future, I remain skeptical that the ABM option will prove a sensible or cost effective solution to U.S. strategic requirements. As Secretary Weinberger stated in testimony earlier this month before the Senate Armed Services Committee, "an ABM system that can only destroy 50 percent of the incoming warheads is simply not good enough."

THE STRATEGIC PACKAGE AND SALT

In addition to its compatibility with arms control generally, the President's plan provides another immediate arms control benefit: it is fully consistent with SALT. Although President Reagan has stated that there is much in the unratified SALT II that he could accept, I am sure that the plan was not devised with an eye to the terms of this agreement. On the contrary, Administration officials made clear that although we are following an informal policy of respecting existing SALT agreements, they would not have hesitated to have deviated from these accords had any of the strategic weapons decisions so required. Nevertheless, the package as it emerged could be implemented in full under the terms of SALT I and II, even were the SALT II Treaty to extend to 1989.

SALT II as negotiated specifically authorizes the United States to deploy the MX missile in existing silos, provided the silo dimensions are not increased beyond specified parameters. The Titan and Minuteman III silos can accommodate the MX without exceeding these limits. The Treaty also permits deployment of the B-1 bomber, Trident submarine, and Trident II missile and, after December 31st of this year, would not prohibit the deployment of long-range nuclear cruise missiles on submarines. Nor would anything in SALT II restrict improvements to air defense, civil defense, or strategic C3.

Does this mean that we should now turn back the clock and ratify SALT II? I believe not, As I said to Soviet Premier Brezhnev in Moscow last December, "SALT II is dead as a doornail." By any realistic political calculation, there is little chance that President Reagan might ask the Senate to join with the Administration in ratifying an amended version of the original Treaty.

Fortunately, other avenues exist. By simply adhering to what is already declared U.S. policy, we can capitalize on the opportunities created for arms control by the President's strategic weapons plan. As I mentioned before, this Administration has declared that it will take no action that would undercut existing SALT agreements as long as the Soviets demonstrate the same restraint.

The benefits of continuing this policy are profound:

Soviet strategic programs would be kept within specified, and entirely predictable, parameters. For example, the Soviets could not construct new missile silos or increase the number of warheads on their existing missiles.

Our friends and allies would be reassured

that this Administration is serious in its commitment to arms control. This is especially important in the NATO context, where doubts about the Administration's commitment to SALT have fanned increased opposition to the Theater Nuclear Force modernization program.

Senators and Congressmen, who may be looking for a source of future defense budget cuts, will see that the President's strategic package is consistent with and indeed central to a responsible U.S. arms control policy.

And, most importantly, by continuing our current policy of reciprocal restraint, we ensure that the next round of SALT negotiations will be conducted in the context of continuity and stability, thus enhancing the prospect that these negotiations will succeed.

With the President's strategic weapons plan now in hand, and recognizing that nothing in this blueprint is constrained by existing SALT agreements, I see no reason why this Administration should renounce its declared willingness to continue a de facto policy of respecting the SALT agreements, as long as the Soviets reciprocate.

Within this framework, we can go forward with the President's sound plan for preserving the credibility of U.S. strategic deterrence while at the same time maintaining a solid basis for progress in attaining genuine arms control limitations.

President Reagan has described his strategic modernization plan as "the keystone to any genuine arms reduction agreements with the Soviets." I respect his wisdom and foresight in committing us to the pursuit of arms reductions far deeper than those proposed under SALT II. The enormous cost and awesome destructiveness of the strategic weapons now proposed for development make this task all the more imperative.

Thomas Watson, our former Ambassador in Moscow, said in a commencement speech this summer at Harvard that while the future of mankind depends on many things, "It hinges above all on us: on the United States' policy on nuclear weapons—on what we and our leaders do about that policy in the days and months immediately ahead." I could not agree more. The time is at hand for moving ahead on two fronts, for restoring the credibility of our strategic deterrent and for using SALT to help ensure that it need never be used. I urge you to join me in supporting this vital undertaking. ●

PROPOSED ARMS SALES

● Mr. PERCY. Mr. President, section 36 (b) of the Arms Export Control Act requires that Congress receive prior notification of proposed arms sales under that act in excess of \$25 million or, in the case of major defense equipment as defined in the act, those in excess of \$7 million. Upon such notification, the Congress has 30 calendar days during which the sale may be prohibited by means of a concurrent resolution. The provision stipulated that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Committee on Foreign Relations.

In keeping with the committee's intention to see that such information is available to the full Senate, I ask to have printed in the RECORD at this point the notifications which have been received. The classified annex referred to in one of the covering letters is available to Senators in the Office of the Foreign Relations Committee, room 4229, Dirksen Building.

The material referred to is as follows:
 DEFENSE SECURITY ASSISTANCE AGENCY,
 Washington, D.C., October 26, 1981.

Hon. CHARLES H. PERCY,
 Chairman, Committee on Foreign Relations,
 U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 81-107 and under separate cover the classified annex thereto. This Transmittal concerns the Department of the Navy's proposed Letter of Offer to Japan for defense articles and services estimated to cost \$11 million. Shortly after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

Sincerely,

ERICH F. VON MARBOD,
 Director.

TRANSMITTAL No. 81-107

(Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act)

- (i) Prospective Purchaser: Japan.
- (ii) Total Estimated Value:

	Millions
Major Defense Equipment*-----	\$9
Other -----	2
Total -----	11

*As included in the U.S. Munitions List, a part of the International Traffic in Arms Regulations (ITAR).

(iii) Description of Articles or Services Offered: Eight HARPOON missiles, two blast test vehicles, spares, and repair parts.

(iv) Military Department: Navy (LIA).

(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vi) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: See Annex under separate cover.

(vii) Section 28 Report: Included in report for quarter ending 30 June 1981.

(viii) Date Report Delivered to Congress: 26 October 1981.

POLICY JUSTIFICATION

JAPAN—HARPOON MISSILES

The Government of Japan has requested the purchase of eight HARPOON missiles, two blast test vehicles, spares, and repair parts at an estimated cost of \$11 million.

Japan is one of the major political and economic powers in East Asia and the Western Pacific and a key partner of the United States in ensuring the peace and stability of that region. It is vital to the U.S. national interest to assist Japan in developing and maintaining a strong and ready self-defense capability which will contribute to an acceptable military balance in the area. This sale is consistent with these U.S. objectives and with the 1960 U.S.-Japan Treaty of Mutual Cooperation and Security.

These missiles are to be used on the modernization of the Japanese destroyer *Takatsuki* DDA 2304 and acquisition of these missiles is crucial to improvement of the Japanese Maritime Self Defense Force's tactical capability. HARPOON will be the only tactical anti-ship missile in the Force, and therefore the principal anti-surface ship weapon.

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be the McDonnell-Douglas Corporation of St. Louis, Missouri.

Implementation of this sale will not require the assignment of any additional U.S. Government or contractor personnel to Japan.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

DEFENSE SECURITY ASSISTANCE AGENCY,
 Washington, D.C., October 26, 1981.

Hon. CHARLES H. PERCY,
 Chairman, Committee on Foreign Relations,
 U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 81-110, concerning the Department of the Army's proposed Letter of Offer to Sudan for defense articles and services estimated to cost \$36 million. Shortly after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

ERICH F. VON MARBOD,
 Director.

TRANSMITTAL No. 81-110

(Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act)

- (i) Prospective Purchaser: Sudan.
- (ii) Total Estimated Value:

	Millions
Major Defense Equipment*-----	\$29
Other -----	7
Total -----	36

*As included in the U.S. Munitions List, a part of the International Traffic in Arms Regulations (ITAR).

(iii) Description of Articles or Services Offered: Twenty M60A3 tanks with applicable support equipment, concurrent spares, special tools, test equipment, and associated services.

(iv) Military Department: Army (UCF).

(v) Sales Commission, Fee, etc., Paid Offered, or Agreed to be Paid: None.

(vi) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: None.

(vii) Section 28 Report: Included in report for quarter ending 30 September 1981.

(viii) Date Report Delivered to Congress: 26 October 1981.

POLICY JUSTIFICATION

SUDAN—20 M60A3 TANKS

The Government of Sudan has requested the purchase of 20 M60A3 tanks with applicable support equipment, concurrent spares, special tools, test equipment, and associated services at an estimated cost of \$36 million.

This sale will contribute to the foreign policy objectives of the United States by improving the defense capability of Sudan. It will demonstrate our interest in the maintenance of stability in the volatile Horn of Africa and Red Sea region. Additionally, by providing this support for the government of President Nimeiri and his decision to upgrade the Sudanese defensive posture in light of heightened Soviet assistance to Libya and other potentially destabilizing forces, the U.S. will reassure other moderate states in the region regarding its concern for their independence.

The Sudanese Armed Forces are attempting to modernize the ground forces through the purchase of equipment from the United States and other western suppliers. The Sudanese Army has the capability of absorbing this equipment without difficulty.

The sale of this equipment and support

will not affect the basic military balance in the region.

The prime contractor will be the Chrysler Corporation, of Detroit, Michigan.

Implementation of this sale will require the temporary assignment of approximately 5 U.S. Government personnel in Sudan for two weeks to provide quality assurance and technical assistance.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

DEFENSE SECURITY ASSISTANCE AGENCY,
 Washington, D.C., October 27, 1981.

Hon. CHARLES H. PERCY,
 Chairman, Committee on Foreign Relations,
 U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 81-109, concerning the Department of the Army's proposed Letter of Offer to Greece for defense articles and services estimated to cost \$16 million. Shortly after this letter is delivered to your office, we plan to notify the news media.

You will also find attached a certification as required by Section 620C(d) of the Foreign Assistance Act of 1961, as amended, that this action is consistent with Section 620C (b) of that statute.

Sincerely,

ERICH F. VON MARBOD,
 Director.

TRANSMITTAL No. 81-109

(Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act)

- (i) Prospective Purchaser: Greece.
- (ii) Total Estimated Value:

	Millions
Major Defense Equipment*-----	\$10
Other -----	6
Total -----	16

*As included in the U.S. Munitions List, a part of the International Traffic in Arms Regulations (ITAR).

(iii) Description of Articles or Services Offered: Fifteen hundred seventy-four AN/VRC-12 series radios and 207 AN/PRC-77 series radios.

(iv) Military Department: Army (WLL).

(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vi) Sensitivity of Technology Contained in the Defense Articles or Defense Services Proposed to be Sold: None.

(vii) Section 28 Report: Included in report for quarter ending 30 June 1981.

(viii) Date Report Delivered to Congress: 27 October 1981.

POLICY JUSTIFICATION

GREECE—AN/VRC-12 AND AN/PRC-77 SERIES RADIOS

The Government of Greece (GOG) has requested the purchase of 1,574 AN/VRC-12 series radios and 207 AN/PRC-77 series radios at an estimated cost of \$16 million.

This sale will contribute to the foreign policy and national security objectives of the United States by improving the military capabilities of Greece in fulfillment of its NATO obligations; furthering NATO rationalization, standardization, and interoperability; and enhancing the defense of the Western Alliance.

These radios are to be used by the GOG to upgrade the communications capability of combat and combat support vehicles already on hand in the Hellenic Army (HA). The HA will have no difficulty in absorbing, in-

stalling, and using the radio sets. These items will be provided in accordance with and subject to the limitations on use and transfer provided for under the Arms Export Control Act, as embodied in the terms of sale. The sale of this equipment and support will not adversely affect either the basic military balance in the region or U.S. efforts to encourage a negotiated settlement of the Cyprus question.

The prime contractor will be determined through competitive bidding after case acceptance.

Implementation of this sale will require the assignment of not more than two additional U.S. Government or contractor personnel to Greece for a total period not to exceed fourteen days.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

U.S. DEPARTMENT OF STATE,
Washington, D.C.

Pursuant to section 620C(d) of the Foreign Assistance Act of 1961, as amended (the Act), and the authority vested in me by Department of State Delegation of Authority No. 145, I hereby certify that the provision of AN/VRC-12 and AN/PRC-77 radios to the Government of Greece is consistent with the principles contained in section 620C(b) of the Act.

This certification will be made part of the certification of the Congress under section 36(b) of the Arms Export Control Act regarding the proposed sale of the above-named articles and is based on the justification accompanying said certification, and of which such justification constitutes a full explanation.

JAMES L. BUCKLEY ●

CONCLUSION OF MORNING
BUSINESS

The PRESIDING OFFICER. Morning business is closed.

AWACS SALE—RESOLUTION OF
DISAPPROVAL

The PRESIDING OFFICER. Under the previous order, the hour of 9 a.m. having arrived, the Senate will now proceed to the consideration of House Concurrent Resolution 194, which will be stated by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 194) disapproving the proposed sales to Saudi Arabia of E-3A airborne warning and control system (AWACS) aircraft, conformal fuel tanks for F-15 aircraft, AIM-9L Sidewinder missiles, and Boeing 707 aerial refueling aircraft.

The Senate proceeded to consider the concurrent resolution.

Mr. BAKER. Mr. President, the AWACS disapproval resolution which the Senate considers today is governed by procedures referenced in the Arms Export Control Act of 1976, as slightly modified by the unanimous consent agreement of October 20, 1981. Under the law, time for debate on the resolution is controlled by the majority and minority leaders, or their designees. At this point, I wish to designate the distinguished chairman of the Committee on Foreign Relations, Mr. PERCY, to control the time allocated to those in opposition to the resolution.

Pursuant to the consent order, debate on the resolution will occur between the hours of 9 a.m. and 5 p.m., with a vote on final disposition of the resolution to take place precisely at 5. In addition, the law provides a sublimit time cap of 1 hour on each appeal and debatable motion. No amendment to the resolution or motion to recommit is in order.

Mr. President, I believe that all Members of the Senate, on both sides of this issue, have comported themselves with dignity and with fairness. I expect that the debate today will be fruitful and productive and that all of us will gladly abide the outcome.

(Mr. GORTON assumed the chair.)

Mr. PELL. Mr. President, the minority leader has allocated his time to me.

It is with deep regret that I rise to support the resolution of disapproval of the AWACS/F-15 enhancement package proposed for sale to Saudi Arabia. This is a proposal that never should have been submitted to the Congress and one that never should have been allowed to become a litmus test of United States-Saudi relations or a referendum on the prestige of the American Presidency. In this latter connection, I regret insinuations that this is a partisan political issue. I also regret the President's statement that those who vote against the sale "are not doing their country a service," thus suggesting that opponents of the sale are somehow unpatriotic.

From the beginning, the concerns that have been raised about this sale, both in the Senate and in the House, have been bipartisan concerns, and that continues to be the case today. No one has suggested that such an important foreign policy issue should be exploited for partisan advantage. Similarly, everyone that I have heard speak on this issue has approached it from the perspective of what is in the U.S. national security interest. No one wants to undercut the authority of the President or to render our foreign policy less effective. There are simply honest differences over what is in the best interest of the United States, and I hope that the administration will be persuaded that this is the case.

This sale is the result of a series of botches—botches that started under the previous administration, my administration—and has become a veritable Frankenstein. It should not go forward. Two weeks ago, when our former colleague, and now Under Secretary of State, James Buckley, made the final presentation of the administration's case to the Foreign Relations Committee, I suggested that this proposed sale be withdrawn, reconsidered with a view toward meeting the concerns raised by members of the Foreign Relations Committee and other Members of the Senate, and then returned in a couple of months when rhetoric and tempers have subsided. Unfortunately, my suggestion was rejected—confrontation, apparently, was wanted—but I continue to believe that this sale should be withdrawn; and I renew my proposal now.

As my colleagues are aware, the Foreign Relations Committee voted to sup-

port the resolution of disapproval sponsored by Senator Packwood and originally cosponsored by 49 other Members of the Senate. In considering this sale, the committee was very mindful of previous events which were and continue to be relevant to this sale. One of these events was the loss of highly sophisticated equipment and technology following the fall of the Shah of Iran in 1979. Fortunately, the AWACS aircraft promised to the Shah had not been delivered before he fell and the sale was canceled, but it was a close call. Committee members were also mindful of the fact that spokesmen for the previous administration had assured the committee in connection with the 1978 sale of F-15 aircraft to Saudi Arabia that the AWACS, aerial refueling tankers, and F-15 enhancement equipment would not be sought for Saudi Arabia.

The report of the Foreign Relations Committee, which is available on Senators' desks, sets forth the case in favor of approving the resolution of disapproval. To summarize, a majority of the committee's members, representing both parties, concluded: First, that providing sophisticated weapons to a potentially unstable government, without ultimate control resting in U.S. hands, increases the possibility of secret technology falling into unfriendly hands; second, that this sale would not measurably increase Saudi Arabia's security, particularly since the AWACS would be a downgraded version and therefore not the best to meet the difficult task of defending the oil facilities; third, that the sale would escalate the Middle East arms race; and fourth, that the sale would undermine the security of Israel, the only stable U.S. ally in the region.

Speaking personally, when the committee began its consideration of the administration's proposal, I was very skeptical of the wisdom of proceeding with the sale. Nevertheless, I tried to be as impartial as possible and weigh the pros and cons very carefully. As I listened to the testimony and studied the various issues involved, it became clear to me that a decision on this sale was going to be a close call.

As the minority leader, Senator ROBERT C. BYRD, said in his excellent speech last week, for every argument on one side of this issue there is an equally persuasive argument on the other side. In other words, there is a mirror-image aspect to this debate. That was certainly the case when the Foreign Relations Committee debated the issue, but at the end of that debate, I was unconvinced of the wisdom of the sale in terms of U.S. interests in the area.

I base my decision on these judgments. Most of all, I fear that going ahead with this sale would lead to another upward spiral of the arms race in the Middle East. Heightening the tensions and possibilities of conflict in this vital area would clearly not be in our country's interest. Inevitably, it seems to me, providing this equipment to Saudi Arabia would generate requests from Israel for additional equipment, not only to offset

the increased offensive capabilities which the package provides for Saudi Arabia but also to offset presumed future enhancements for Saudi Arabia. And such sales to Israel would be on concessional terms with their usual adverse effect on our budget.

Such requests by Israel could in turn lead to efforts by Syria and Iraq to acquire more and better equipment. They could also cause the new Egyptian Government to press for more equipment to insure that it is not lagging behind in the new round of arms purchases.

Second, this sale could set back the Camp David peace process. I am concerned that if this sale goes forward, Israel will be less cooperative in the Palestinian autonomy negotiations; and Saudi Arabia will dig in its heels further in opposition to the Camp David agreements in order to show the rest of the Arab world that a closer military relationship with the United States does not mean that Saudi Arabia would have to soften its position on the peace process.

Certainly, nothing that has happened since the F-15 sale was approved in 1978 suggests that Saudi Arabia would be more open to supporting the Camp David agreements or to end its financial aid to the PLO. Since 1978, Saudi Arabia has continued to provide more than \$40 million annually to the PLO according to press reports; it has refused to permit U.S. bases or facilities in Saudi Arabia; it has criticized Oman for permitting U.S. facilities in that country; and it condemned the U.S. Navy's self-defense action against attacking Libyan fighters over the Gulf of Sidra. This is not the way a close friend should behave.

Third, I am concerned about the security of the technology proposed to be transferred to Saudi Arabia, both regarding the AWACS and the AIM-9L missile. Although the administration pooh-poohs the sensitivity of the AWACS, describing it as 1960's technology, I believe that the Soviets would love to have access to our AWACS even after they develop their own version. Compromise of the AIM-9L missile technology would entail equal, if not greater, risks in maintaining our technology lead over the Soviets.

The administration maintains that the technology of this missile may already have been compromised, but there is no evidence at all of any compromise of the AIM-9L version of the Sidewinder to the Soviets. In this regard the 9L model is the only one that can be effective from any angle, even head-on, in an effort to destroy enemy aircraft.

That capability is very valuable and recently prompted 12 U.S. F-15 pilots to write to Congressman LANTOS to express their concern about this technology falling into Soviet hands. In addition, we have refused to sell the AIM-9L missile to a friendly Western European country. For these reasons, I have taken the position that only American control will suffice to insure the security of our technology.

In response to this concern, the administration argues that the AWACS and AIM-9L missiles will be carefully guarded and that the Saudi regime is

very stable. Yet, we should not forget that we heard the same arguments when the previous administration proposed selling AWACS to the Shah of Iran and actually sold F-14 aircraft and Phoenix missiles whose technology was later compromised. Three years ago, I led a bipartisan Senate delegation to Saudi Arabia; and several of us came away with very real concerns about the stability of that regime.

As our report stated:

Several members of the delegation were left with a sense of unease as to the toughness, strength, and stability of the Saudi Government, a government based on the Koran and tribal custom and conducted almost entirely by actual members of the reigning family.

Despite the fact that the Saudi Government appears stable today, we should not be deluded into thinking that it will continue to be. No nation that is owned and run by 2,000 princes can be called truly stable. Nor should we be taken in by administration assurances that we will not allow Saudi Arabia to become another Iran, for it is simply not in our power to prevent domestic unrest from toppling the Saudi family's control over Saudi Arabia.

Fourth, and this relates to the concern I expressed earlier regarding another arms race in the Middle East, I am concerned that making this sale will increase the threat to Israel, our most dependable ally in the area. The proposed AWACS/F-15 enhancement package should be seen as just one more step in the military buildup underway in Saudi Arabia.

As that process develops, I fear that should another Middle East war erupt, Saudi Arabia will be under tremendous pressure from other Arab combatants to become heavily involved. Forcing Israel to confront for the first time a credible threat from the South will strain Israeli defense capabilities. In this connection, it ought to be borne in mind that Saudi Arabia considers Israel to be its foremost adversary, not the Soviet Union and its friends. As Sheik Yamani said on April 19:

We believe that the Soviets are a threat, but we believe that Israelis are a threat much greater than the Soviet Union.

Armed with F-15's, equipped with the most advanced air-to-air missiles and controlled by the most sophisticated aerial surveillance aircraft in the world, the AWACS, Saudi Arabia could force Israel to devote significant resources to meeting a new, even if only presumed, threat from the south. With the conformational fuel tanks and an aerial refueling capability, Saudi Arabia could engage in operations over all of Israel, and that cannot be ignored by Israel.

In this connection, I take with a grain of salt the assurances which the administration claims to have obtained from the Saudis. In my view, no sovereign nation can be expected to adhere to commitments restricting the use of equipment that it owns when it concludes that those commitments conflict with its own national interests.

Finally, as President Reagan said: "It is not the business of other nations to

make American foreign policy." He was referring to Israel, but he could just as well have referred to Saudi Arabia. I believe that the main reason for this sale is to save Saudi Arabia's ego, because the United States is already providing AWACS coverage for the kingdom and could continue to do so if only the Saudis would agree.

Having said all of this, I want to add that I do recognize that the United States has an interest in seeing that Saudi Arabia can protect its oilfields and defend itself against external aggression. The AWACS and F-15 enhancement package could make a marginal difference in that regard, but it would certainly not stop a truly determined effort. Not a single witness has been willing to state that supplying this equipment would make Saudi Arabia or its oilfields invulnerable. To the extent that the package would make a difference, that difference would best be realized by an arrangement involving the most capable, not downgraded, AWACS—but under U.S. control.

If this sale is disapproved, as I believe it should be, I believe that it will still be possible to maintain reasonable, productive relations with Saudi Arabia. A close relationship with that country is clearly in our—and their—interest. I would support working with Saudi Arabia to explore ways to better defend itself and its oilfields without turning over ownership or, most important, control of the AWACS and other equipment, to them. But I cannot endorse providing what would prove to be a flying magnet line, a multibillion-dollar package that provides only the illusion of security.

I hope very much that the Saudis will come to realize that a turndown of this sale does not mean that we think less of Saudi Arabia, but that we simply believe that this sale, under the terms involved, is not the right thing for them or for the United States. The relationship that our two countries have forged over several decades ought to be strong enough to withstand our unwillingness to pass a litmus test of support that was ill-conceived and poorly handled by both governments.

I also hope that the administration will not take congressional disapproval of this sale as an assault on its authority to conduct effective foreign relations. Nothing could be further from the truth. It certainly never entered my mind to make an effort to undercut the credibility and effectiveness of the Presidency. Under our system of government, the executive and legislative branches of government have distinct responsibilities to the American people, and when there are honest differences of opinion over what is in the best interests of the United States, the Congress has an obligation to make an effort to change policies that it considers unwise. That was the case regarding the Vietnam war and the debate over the ABM, and it may also have been the case regarding the SALT II treaty, although I supported the executive branch in that matter.

In conclusion, I would like to say that I regret—deeply regret—having to differ with our President on this issue. By inclination, I would like to give any Presi-

dent the benefit of the doubt on issues such as this one, but in this case I cannot in good conscience do so. In my view, the confrontation in which we are engaging today could have been averted had the administration been more willing early to seek congressional advice on a bipartisan basis and to listen to that advice. It is not too late, however, to reconcile our views, and I hope with all my heart that if it becomes evident here today that a majority of the Senate cannot be persuaded to approve this sale, the President will withdraw his proposal and work with the Congress to develop a course of action that responds to the concerns expressed by both Houses of Congress.

Mr. PERCY. Mr. President, first, I should like to acknowledge three very distinguished and beloved colleagues of mine on the floor. As I look at each one of them, the distinguished ranking member of the Committee on Foreign Relations and my longtime friend, CLAIBORNE PELL; the distinguished chairman of the Republican Senate Campaign Committee, Senator PACKWOOD; and the assistant minority leader, Senator ALAN CRANSTON, I can think of the many battles we have waged, and we have been on the same side of many issues.

In this particular case I find us on opposite sides. It has not in any way affected my high regard, my affection, for them. In fact, I admire the way they have thought through their case and fought the good fight. I hope they have fought it in such away as to just fall shy of victory.

As I think now of the comments made by Senator PELL, his wish was that we could have done this in such a way as to have had almost a unanimous vote. I am reminded of the fact that Senator JENNINGS RANDOLPH in his sermon this morning at the Senators' prayer breakfast mentioned the historical fact that five States came into the Union, including California, by just one vote.

In a democratic republic one vote can make the difference. As I look around the Chamber I see chairs of Senators and some Senators sitting in those chairs because of a half-of-1-percent margin that they got from their voters, and yet they are here and their opponents whom they defeated are back home. What we are looking for is one extra vote today. Both sides will be looking for that one extra vote—it is that close.

Having had a background in an American photographic company, I would not want to say that this is a perfect photograph, but it is just about that. There is not anyone who can say for certain how this will come out at 5:15 tonight when the final vote is cast.

Today, Mr. President, the Senate will make one of the most important foreign policy decisions in its history. The entire course of events in the crucial Middle East-Persian Gulf area could be fundamentally altered by the decision.

The President's ability to carry out American foreign policy could be hindered if he is rebuffed on this crucial test of his international prestige and power.

Prior to receiving notification of the proposed arms sale to Saudi Arabia, I

was deeply disturbed that 50 Senators had publicly committed themselves to oppose the sale before they had even heard the administration's case. I am now convinced that all the arguments have been thoroughly presented, and all sides of the issue are reasonably well understood.

Having heard the President's position, some of my colleagues have, with considerable courage, changed their positions from opposition to support. Others hold to their opinions, believing deeply, I know, that this sale should be defeated.

Therefore, it is well for us to now examine during the course of the next 7½ hours, the issues on both sides. Indeed, the problem is that so many different arguments have been made that it is difficult to sort out those that are most important.

For that reason the Committee on Foreign Relations held extensive hearings in order to try to sort out the arguments. Those hearings covered every essential aspect of the sales. In essence, I believe they conclusively proved that the AWACS/F-15 enhancement sales pose no significant military threat to Israel or threat of compromise of U.S. technology.

At our request, the Committee on Armed Services also held hearings on the military and technical aspects of the sales. My distinguished colleague, Senator JOHN TOWER, will explain his committee's findings in more detail.

Suffice it to say now that I believe the military and technical case for the sales is overwhelming.

On the other hand, the foreign policy implications of the sales are more difficult to demonstrate. Yet over the course of the hearings it becomes clear that the effect of the sales on American ability to forge a more effective foreign policy in the region is the most important aspect of the sales.

The other day the distinguished minority leader, in a thorough discussion of the proposed sales, emphasized that the primary reason for opposing the sales was his belief that progress toward peace in the Middle East would be harmed if the sales went forward.

I believe that this is the key issue, but I respectfully disagree with his conclusion. Disapproval of the sale, in my judgment, would make attainment of peace more difficult, not less. The Camp David process failed to achieve greater success because moderate Arabs, outside Egypt, refused to join the process, and it is more moderate Arabs who must be brought into the process to make it successful.

Their refusal was based on two factors: First, they believed that the United States was unwilling to play the role of impartial broker and, therefore, future negotiations would not result in a fair settlement. A failure to approve the AWACS sale will confirm the perception in most Arab minds that the United States cannot have a balanced Mideast policy and is not truly committed to either their security or peace.

Second, the more moderate Arabs were asked to join a peace process developed at Camp David without their participation. While supporting a negotiated settlement, they rejected a framework

which they felt would work to their disadvantage.

Approval of the AWACS sale will not get the Saudis to join the Camp David process, but would make them more willing to look for expanded approaches to peace. Disapproval would make the Saudis less willing to risk domestic criticism in order to support U.S. efforts for peace.

I also reject the contention that the arms package is not in the mutual interest of the United States and Saudi Arabia. Some have asserted that if we sell the aircraft, the Saudi population will believe their Government is a client state of the United States. Arab critics of the Saudi regime already contend that the Saudis cooperate too closely with the United States.

They argue that Saudi Arabia risks becoming the target of radical Arab criticism, and receives little in return. If the sales are disapproved, the critics will be strengthened, not weakened. They will argue that the United States has betrayed the Saudi Government, has used the country, and gives little or nothing in return. Those elements in the Saudi Government who have espoused closer relations with the United States will inevitably be weakened. If this happens, our efforts to increase strategic cooperation in this region will become vastly more difficult.

While not a western-style democracy, the ordinary Saudi citizen believes his government is responsive to his concerns. The common man retains considerable contact with his government through the majlis system. In Provinces throughout the country, members of the Royal family or their representatives sit and listen to the problems of the people. Anyone may attend and be granted an audience to petition or to voice a grievance.

The petitioner rarely leaves empty-handed and participates in an open and free discussion; this system creates a consensus from the bottom up. It is also unquestionable that, if the sale of AWACS is rejected, the Saudi leadership will quickly be made aware of popular dissatisfaction. It will then have to reflect these concerns in its policy. We can then well imagine what will happen if the sale is rejected and the people believe they have been abandoned by a friend.

In the debate so far, much has also been made of public statements by the Saudis which have caused us discomfort. However, it is important to put these statements and Saudi actions in perspective. In some cases, such as their objections to the Camp David process, disagreements result from honest differences in beliefs about how best to proceed; nonetheless, the Saudis continue to try to play a constructive role in trying to find solutions to a difficult problem. In other instances statements have simply been taken out of context, reflect only dissenting viewpoints or reflect the need for the Saudis to be responsive to the sensitivities of other Arab States.

I believe that it is much more important to consider our areas of common interest with Saudi Arabia and to appreciate the steps they have taken to

help us in undertakings of mutual importance.

Ambassador Phillip Habib has emphasized the essential role the Saudis played in facilitating the current cease-fire in Lebanon.

The Saudi Government has provided financial and other assistance to a number of states in the region whose security is important to the United States. In many instances, this assistance has been essential in filling gaps in our own programs.

The Saudi Government is also playing an increasingly important role in international financial institutions and in supporting world economic stability.

A rejection of the AWACS/F-15 enhancement sale will certainly not cause an immediate reversal of the Saudi position on these types of issues. Yet, it is self-evident that a rejection of the sales, so important symbolically in both countries, would force the Saudis to consider other ways of advancing their interests in ways which do not depend so heavily on the United States. I doubt that these alternatives would be as compatible with our national interests as is current policy.

Equally important, other moderate nations in the region would be forced to reassess the value of closer ties with the United States. In the end, I believe this would pose the most serious threat to Israel's security. If the United States cannot play an effective mediating role in the Arab-Israeli dispute, the threat of war will almost certainly become greater. This would translate not only into a direct threat to our national security, but to Israel's as well.

It is primarily for these reasons, after thorough hearings before the Foreign Relations Committee, that I have come to strongly support the proposed sale. But I also believe that a defeat of the AWACS sale would cast doubt on the ability of the United States to conduct a purposeful foreign policy. All living former Presidents have expressed this concern, and all of them support the sale.

The hour of decision is nearing and I know that most of my colleagues have already made up their minds as to how they will vote. For those critical few who have yet to decide, I hope that they will listen carefully to the debate today. I hope they will make their decision on the basis of what will best permit the United States to promote peaceful solutions to the multiple problems in this critical part of the world.

I—along with the President of the United States—am firmly convinced that a rejection of the AWACS/F-15 enhancement sales would jeopardize our efforts to bring greater stability to the Middle East and Persian Gulf area.

Mr. GOLDWATER. Will the Senator yield?

Mr. PERCY. I am happy to yield to my distinguished colleague from Arizona.

Mr. GOLDWATER. I just want to ask a question. When might it be possible for me to get maybe 7 or 8 minutes?

Mr. PERCY. Mr. President, I say to the distinguished Senator that I pre-

sume the opposition would like to now rotate. So far as this Senator is concerned, he would be happy to yield immediately after that to our distinguished colleague from Arizona.

Mr. PACKWOOD. Mr. President, I do not think we need to rotate. I think probably the time for the Senator from Arizona could be worked out.

I wanted to ask the Senator a question or two based upon his remarks.

Mr. PERCY. If the Senator from Arizona is under a time problem, would it be all right if he followed immediately after that?

Mr. PELL. Mr. President, I suggest that the Senator from Arizona speak now.

Mr. PACKWOOD. That is fine with me.

Mr. PERCY. I am happy to yield to the distinguished Senator from Arizona.

Mr. STENNIS. Mr. President, may I ask a question? I understood my schedule was for 9:45 to follow the Senator from Illinois.

Mr. PERCY. That is correct. I believe that the Senator from Arizona will take about 7 minutes or so.

Mr. STENNIS. Will the Senator from Mississippi then be next?

Mr. PERCY. That is acceptable.

Mr. GOLDWATER. Mr. President, during this debate, the opponents and skeptics of the proposed Saudi air defense package have dismissed the argument that the Saudis will purchase alternative European systems as either administration rhetoric or as being of little consequence. They are mistaken. The very goals that this sale will further—the long-term security of Saudi Arabia, and the ability of the United States both to project power and to act as a peace-maker—will be undermined. Moreover, few if any of the problems supposedly created by the sale will be resolved by a congressional veto. Most will be exacerbated.

Arguments on behalf of the political, diplomatic and economic benefits have rightly been made but the primary imperative for the sale is military. The Saudis recognize this and if they are unable to acquire the necessary equipment here, they will shop elsewhere. Therefore, I will examine briefly what these alternatives are and then in more detail describe how they would unnecessarily and catastrophically complicate the ability of the United States to protect the Arabian Gulf in time of need.

While our European allies have been forbearing during our lengthy consideration of this sale, they also have openly expressed their willingness to sell their own systems. For example, Prime Minister Margaret Thatcher publicly offered Nimrod as an alternative to AWACS. Be under no illusions, Nimrod is a capable aircraft. Certainly Nimrod has fewer command and control consoles than AWACS and, because it lacks a refueling capability, less range and time-on-station. But these deficiencies are easily remedied by the purchase of a larger number of planes. The British have at least 28 Nimrods in use in an antisubmarine role. Others are being converted to early warning aircraft.

Two prototypes are already flying and 11 will be delivered for NATO use between 1982 and 1985. There can be no doubt, therefore, that the Saudis can and will acquire this aircraft if forced to do so by the United States.

Additionally, the Nimrod radar is resistant to electronic countermeasures and is close in detection range to that of AWACS. It can simultaneously plot surface ships while detecting both high and low flying aircraft. Perhaps most importantly, Nimrod possesses what is known as electronic support measures—an electronic intelligence gathering system that allows Nimrod to listen to, locate, and classify various platforms which emit electronic pulses. This permits Nimrod, like the E-2C Hawkeye, which Israel is now using, to detect ground targets. For those who are still worried about the effect of an enhanced Saudi air defense capability on the security of Israel, Nimrod poses a much greater potential threat.

Alternatives to the rest of the package are less well defined. Nevertheless, we were told in the hearings that an all aspect air-to-air missile is being manufactured by Matra. The French are well known for their practice of supporting an indigenous defense manufacturing capability by foreign military sales and would make this missile available to the Saudis. They also would be accommodating about providing Mirage interceptors. No specific substitute has been mentioned for the KC-135 tankers, but the construction of this type of aircraft is straightforward and could be built by any of the major European aerospace manufacturers.

Clearly this combination of several European systems would pose a challenge to the limited Saudi skilled manpower. But this has not been an obstacle in the past to either Saudi civilian or military programs. Faced by an unquestioned requirement to bolster the defense of their oilfields, the Saudis will do whatever is necessary to obtain sufficient skilled personnel to maintain and operate all of these systems.

The sale of European equipment would meet immediate Saudi needs, but would provide them only with the capability to defeat a low level threat. This is where the real danger lies. Interoperability with U.S. Forces would be nonexistent. Data sharing would be minimal, if at all, and most of the U.S. logistical support would have to accompany the combat forces. The net result would be to complicate, if not to degrade U.S. ability to project power into this vital area.

Achieving air superiority in an Arabian Gulf conflict will depend largely on good communications and even more importantly on reliable identification of friend or foe. Both a Saudi Nimrod or a Saudi AWACS can provide these functions, but they cannot operate together. The Saudi Nimrod would have to be equipped with a commercial crypto not common to the NATO military version for secure communications and identification of friend or foe capability. Thus, while the United States and NATO AWACS and the NATO Nimrod will be interoperable, a U.S. AWACS or other U.S. aircraft such as an

F-14 launched from a carrier in the Arabian Gulf, could not interoperate with a Saudi Nimrod. In the inevitable confusion, they could even be identified incorrectly as foes.

In contrast, there are several practical means of insuring the interoperability of a Saudi AWACS with U.S. forces. If a time of tension preceded a crisis, the "crypto" in all the American manufactured Saudi aircraft could be converted to the U.S. version. Alternatively, it is technically feasible for the U.S. AWACS to have both the Saudi and U.S. crypto to permit interoperability with Saudi and U.S. interceptors. In either case, United States and Saudi forces could combine to meet and repel an attack.

There are other drawbacks to a Saudi purchase of European equipment for this mission. For example, even if the Saudis were willing, real time information would be unavailable since Nimrod could not provide the command and control for U.S. aircraft. Exchange of intelligence data on such topics as force movements would be possible but would be complicated since the AWACS and Nimrod computer tapes are not interchangeable. Finally, U.S. forces would not be able to benefit fully from an established logistical base. Although U.S. F-15's could use spares stocked to support Saudi aircraft, they could not use the Matra missiles nor would there be any spares and support equipment prepositioned for AWACS.

Impelled by the Soviet occupation of Afghanistan, by the Iran-Iraq war and by the possibility of irresponsible actions by what Secretary Haig has called the unholy alliance of Libya, Ethiopia, and South Yemen, the United States is striving to insure the protection of the economic heartland of the free world. Yet rejection of the air defense package is going to impair the military capability of both the United States and the Saudis to operate effectively in the Arabian Gulf. A rejection will also adversely effect general United States-Saudi relations.

Many opponents of the sale maintain that recent Saudi constructive actions such as their mediation in Lebanon or their restraint on oil prices, are motivated solely by narrow Saudi self-interest. Not only is this a distortion but also ignores an important point: whatever the reason for Saudi actions, their interests and those of the United States have converged and we should take advantage of this. Finally, I believe the sale is going to have some very tangible benefits.

Foremost, in a crisis, U.S. forces will be able to benefit from the command and control capabilities of Saudi AWACS. It is even possible that American weapons directors could supplement Saudi personnel. U.S. aircraft, be they F-14's from our carriers or U.S. F-15's, could use the Saudi KC-135 tankers to refuel. The spares for the AWACS and the F-15's would be in place and, if necessary, the United States could use Saudi AIM-9L missile. In effect, this sale will provide de facto prepositioning and access to bases built and maintained by Americans in a manner that is attractive

to both the United States and to the Saudis. It would be difficult, given political realities, to devise a better arrangement.

So far I have addressed the Saudi sale primarily from a military perspective because I feel this is not a case that has been argued sufficiently forcefully. And so far mention of Israel has been noticeable by its absence. First, this is because I believe the immediate threat is not to Israel but to the Arabian Gulf oilfields. Second, I am not convinced that this package poses any credible military threat to Israel—a conclusion I might add, that was also reached by the Senate Armed Services Committee. Nevertheless, I do feel that consideration of Israel should be included in this discussion, but in the context of overall Middle East peace.

The Camp David accords and the subsequent treaty between Israel and Egypt are the most notable steps toward Middle East peace since the Second World War. But this achievement is limited to just these two countries. The very real problems that remain could, if unresolved, threaten the progress made to date. A comprehensive solution requires the participation of the other principal Arab nations. Any advances yet to be made will probably be incremental and if the United States is to contribute, it will need to draw upon all of its diplomatic expertise and all of the accumulated goodwill it can manage in the area. I do not claim that the sale of the Saudi air defense package is a panacea or that it will automatically result in successful peace negotiations, but a rejection cannot but diminish U.S. influences on Saudi Arabia and impair U.S. diplomatic efforts.

Finally, I believe this sale will have sound secondary benefits, one of which will be economic. This clearly cannot and should not serve as an impetus for exporting arms to third countries. Arms transfers can only be justified if they correspond to and support U.S. national security interests and contribute to regional stability. This sale will help to reduce the deleterious imbalance of payments with Saudi Arabia and it will provide a needed influx of capital to our industry both preserving existing jobs and creating new ones. Finally, as they have demonstrated in the past, the Saudis consider their economic power as their main means of implementing their foreign policy. Saudi displeasure with the United States could affect our already precarious position in what is the most competitive worldwide market place.

In conclusion, I would like to stress once again that there is an overwhelming military requirement for this sale and that to force the Saudis to seek alternative European weapons would be counterproductive. Extensive arrangements have been made to protect U.S. technology and to restrict the use of the systems to a clearly defined mission. Provision of this air defense enhancement package will enable the Saudis to protect their oilfields from such attacks as the Iranian raid on Kuwait. It will also enable the United States to augment im-

mediately Saudi capability during a crisis. This is an opportunity we cannot afford to lose.

I thank my friend from Illinois for yielding.

Mr. PERCY. Mr. President, I would like to express great appreciation to the distinguished chairman of the Intelligence Committee, not only for providing invaluable service to the Foreign Relations Committee in providing us with classified reports, but also for his devotion to Israel, which has been unquestioned. No one can question that.

I know in the bottom of his heart he believes this sale, in the long run, serves the best interests of peace in the Middle East and the State of Israel. I thank my distinguished colleague for his fine remarks.

Mr. GOLDWATER. I might say to my friend, the chairman of the Foreign Relations Committee, I am absolutely convinced that the turning down of this sale could lead to war in the Middle East.

Mr. PERCY. With the concurrence of Senator PELL, I am happy to yield to our distinguished colleague from Mississippi, who speaks with tremendous authority on this subject, and who also has rendered invaluable service, with Senator Tower, in offering assistance and help to the Foreign Relations Committee and the Senate on this important issue.

Mr. STENNIS. I thank the Senator very much. How much time am I allotted?

Mr. PERCY. We have 15 minutes allocated for the distinguished Senator.

Mr. STENNIS. Mr. President, will the Chair notify me when I have 2 minutes remaining?

The PRESIDING OFFICER. The Senator will be notified.

Mr. STENNIS. Mr. President, I regret that it was impossible to have this final consideration set for a time when all Members could be here. I have a great number of committee meetings going on today, and I am sure other Members do, too. It is such a grave question that I hope that the membership can have a chance to be here in the Chamber as much as possible.

Mr. President, in the position we occupy in world affairs, what does our foreign policy include?

That is a very big question and a big problem. It has been growing ever since I have been here. Certainly it includes our overall position of being a peace-making nation, a leader for peace, and a leader in alliances for peace.

This has been true now for more than a third of a century. Of course, the term includes the matter of our own safety, our military preparedness, and our defenses. That concept certainly includes being a leader and a negotiator of arms control or arms limitations, and an active leader seeking suitable agreements in this field.

I emphasize these things to show that the Chief Executive is a man put on the spot in all of these far-reaching matters that affect every man, woman, and child, and I emphasize this arms control as being really, I think, at the head of the list.

I trust that all of us agree that the person primarily responsible for carrying

out these functions is the President of the United States, whoever he may be at any given time. He is not only the only person selected by the qualified electors, all of them, but he is the designated Chief Executive of the Nation and designated, in our Constitution, chief of all of our Armed Forces.

This role is placed on him by that constitutional mandate and it has been the general plan of operation for the past 200 years. Just a recitation of these facts and responsibilities, it seems to me, dwarfs the consideration here of a small sale, after all, to a friendly nation, as friendly as anybody in that area of the world, and I think we have to keep our mind on the big things rather than the little things.

The leader of any nation has to speak with one voice when dealing with the chiefs of state of other nations. That is only commonsense. It still leaves room for some ground rules to be exercised by separate groups in the Government, but the primary power and responsibility rests on the Chief Executive. I have no criticism of any Member who might see this differently than I do, or vote differently than I do. That we have the responsibility is what I am trying to point out. As a Member of this august body, I have uniformly adhered firmly to the principle that we keep that responsibility directly on the one to whom we have given the power—the President, in the present case, President Reagan. Then, except in extreme cases, our position should be, I repeat, to back up that Chief Executive, whomever he is.

I am proud to say, Mr. President, that I have done this to the very best of my knowledge; I have followed that course since I have been here, which includes part of Mr. Truman's time and the time served by Mr. Eisenhower, Mr. Kennedy, Mr. Johnson, Mr. Nixon, Mr. Ford, Mr. Carter, and now, Mr. Reagan.

If each of these foregoing principles is correct and sound—and I firmly believe they are—it is an awfully far-fetched and downright grave error, as I see it, to stay the hand of the President of the United States in the instance before us today, which is not a treaty and, within itself, is not of overwhelming importance.

After having been denied permission to make a sale to a friendly nation of a product not in short supply as concerns our needs, we nevertheless urge him to be an effective leader for us with many nations around the world in efforts for peace and safety, in efforts for trade, and in efforts for arms limitation, which I think is perhaps the gravest problem now confronting our Nation.

Where in the world have we left our commonsense? The picture reflects many other problems of our entire economy in that we still have to import over 50 percent, as I am told, of our oil for ourselves as well as more than that part for our allied nations. We get a great deal of that oil from that area of the world, as do our free world allies. An even greater problem is the protection of that source of oil being taken over permanently by our chief adversaries.

Further, how much are we spending now in appropriated dollars for alliances for the protection of other areas of the world beyond our own borders? An accurate figure is hard to obtain, but I have dealt with the problem. Counting only the cost for the troops in Europe the figure is somewhere around \$36 billion a year.

Further, we are challenged here at home now in our own field of finances to the extent that it directly affects every man, woman, and child in America. We have voted a far-reaching bill here this year with overwhelming support that sets out to make drastic changes in our financial system and economic affairs.

We gave tremendous power in the bill to the President of the United States and accepted his leadership on a plan on which he worked so hard.

Now, with all these conditions pressing down on him from every side, how is the President going to meet this lack of confidence that an adverse vote here today would create in the minds of the Chiefs of State of other nations. I believe such an adverse vote could well contribute to the failure of the Reagan plan, just starting here at home. Let us have no part in bringing this about, but rather send the President on his way with support because of the position that he occupies and give him the responsibility of carrying it out.

As I have said, Mr. President, it is tragic to think of the many ramifications that this could take. Certainly, it could very well adversely affect our financial affairs, our budget affairs, right here in the United States, our whole structure of credit. When I say whole structure of credit, I mean the situation we have now where our so-called little people, the small business people or individuals, cannot get every small loan for just a few thousand dollars in connection with an enterprise or a business; be it in order to keep from going bankrupt, to get a dwelling, or a host of other things. We are down to the nub of things in that field.

At issue here is the power to continue our responsibilities in the foreign policy field to the extreme—I think a terrible extreme—of denying to the President of the United States the flexibility, the choices, the give-and-take, so to speak, of affairs in connection with a matter that is relatively simple and relatively unimportant insofar as so-called military plans are concerned.

It is a situation where, if we should be mistaken, we certainly have an abundance of rescue methods that we could employ that would save us from any real harm. But to embark on a field here that leaves doubt and suspicion in the minds of the chief executives and the heads of nations in world affairs, is to provide a stumbling block not only to the President but to our Nation and our people and to us in the discharge of our responsibilities right here on the floor of the Senate. I respectfully submit we should not have to carry this responsibility and I do not believe we can carry it if we are going to continue on a course of this kind. This all comes down to the bottom

line: Which course is best for our own welfare. It seems clear to me that the better course for us is to approve the sale and enable the President to better further our welfare rather than reject his plan and increase our burdens.

I believe that, in the end, there will be some reconsideration to the extent that this proposal to deny the President this authority will be defeated. I yield the floor.

Mr. PERCY. Mr. President, I express deep appreciation to the Senator, particularly for the comments on arms control. It is a very far-sighted statement. We will work together on that aspect of our problem.

Mr. STENNIS. I thank the Senator.

Mr. PELL. Mr. President, I yield 7 minutes to the distinguished Senator from Texas (Mr. BENTSEN).

Mr. BENTSEN. I thank the Senator.

Mr. President, this proposed sale of AWACS has been debated and analyzed probably as long as 6 months, and I have tried to give it the attention I believe it clearly deserves.

Last summer, when a letter was drafted to the President of the United States, asking him to refrain from that sale, I did not join in that letter because I did not know the terms or the conditions of the sale. To further focus attention on the intelligence aspects of the sale, I asked the distinguished chairman of the Intelligence Committee to make a study of the matter, and he very graciously consented to it.

I am opposed to the sale because I believe it would jeopardize the security of the United States. I do not believe that this country should relinquish control of a sophisticated weapons system like AWACS, which plays a central role in our national defense, to any other country. I believe the security risk is simply too great.

AWACS is flying right now, day and night, over Saudi Arabia, under U.S. command and with U.S. crews, and that is the way I would like to keep it.

Mr. President, 3 years ago, I voted in favor of making F-15 aircraft available to Saudi Arabia, and many of the arguments and responses made today on AWACS have a familiar ring.

The F-15 sale was controversial; it was intensely lobbied; there were frequent references to the ability of our President to conduct foreign policy in a dangerous world; there were legitimate concerns about how the transaction might affect the balance of power in the region; the F-15 sale was a "litmus test" of our relationship with the Saudis; and there were even administration assurances designed to govern and restrict the use of the equipment in question.

But there are also important differences between the initial Saudi F-15 buy and the present plan to sell AWACS. The key difference, as I see it, is that this country has never relinquished control of the AWACS to another nation, no matter how friendly or well-intentioned. Our NATO allies have traditionally been America's closest and most consistent friends, but the AWACS that will go to NATO will be under joint control.

Back in 1977, I was opposed to the sale of AWACS to Iran. I recall the Iranian Ambassador sitting in my office for an hour, trying to talk me into supporting that sale. At the time we were considering selling AWACS to Iran, that country was among our best and closest friends; it was the key to the stability of the Persian Gulf region. The Shah, on occasion, actually went out of his way to be helpful to this country. Iran was an important customer for our exports and a significant producer of oil.

To my friends who have called me and talked to me and said, "The security is assured because you will have an enormous infrastructure of personnel there to operate the aircraft, insofar as maintenance is concerned," I say that we had an enormous infrastructure of U.S. personnel in Iran, and it really was not very effective in trying to sustain that monarchy.

In the case of Iran we decided—correctly—that the risk of technology loss was too great, and the administration pulled back the offer before it became an acute embarrassment. We would have been wrong to sell AWACS to Iran, and we would be wrong to sell them to Saudi Arabia.

We have made the F-15 available to allied and friendly states, including Israel, in the Middle East. The precedent has been set, but it has not been set on AWACS. I sincerely hope that this country will never sell that aircraft without provisions for joint command and control.

Mr. President, we are standing here today arguing differences. But possibly the most important lesson to be learned from this debate is the broad area of shared concern on the AWACS issue. I do not think there is any Member of the Senate who disputes the need for an AWACS-type surveillance in Saudi Arabia. I have been through this issue time and again. I agree that the Saudis need to protect their oil fields and installations. I agree that appropriate warning time of an attack on those facilities can only be provided with AWACS-type coverage.

Everyone on this floor would also agree that Saudi Arabia is important to this country for a variety of reasons, and on some occasions the Saudis have been helpful to us. I am willing to go out of my way to help build bridges of understanding between our two countries. That is one reason I voted in favor of the F-15's 3 years ago.

When it comes to international relations, I am a realist. I do not expect the Saudis to do favors for us when it is contrary to their national interests. As it happens, our interests happen to coincide much of the time. The Saudis helped bring about a cease-fire in Lebanon not just to demonstrate how much they like the United States, but also because they have a vested interest in the peace and prosperity of the Middle East. They have kept production up and prices slightly lower than OPEC in order to maximize their own revenue, not simply as a favor to this country. They have invested much of their oil revenue in this country because we are the most stable

democracy in the world and the Saudis clearly benefit from investing in a stable world economy.

So, for a variety of reasons, this country and Saudi Arabia have often found that our national interests have coincided. There have been other times, such as the issue of Camp David, when they were opposed.

I certainly support a policy of trying to maximize shared policy objectives and interests with Saudi Arabia. But I do not accept the notion that we should jeopardize our own security or compromise our own national interests just to pass a "litmus test of friendship" with the Saudis.

When they talk about their sovereignty and their sensitivities, and therefore not wanting shared crews or shared command, how about our sensitivities and our sovereignty? After all, we are manufacturing the aircraft.

The AWACS, under American command and control, are currently providing Saudi Arabia with around the clock early warning coverage. We all agree that coverage is necessary. If the status quo is unacceptable to the Saudis, if it somehow impinges on their sovereignty or sensibilities, then I think we could find a reasonable compromise. We could, for instance, offer the Saudis AWACS on the same basis the aircraft is made available to NATO.

Instead we are forced to choose between an outright sale of equipment vital to our own national security—equipment we have never turned over to any country in the world—and a crisis in our relations with Saudi Arabia.

Mr. President, my position on AWACS has been clear and consistent since it was announced last month. I am opposed to the sale because I believe the risk to technology vital to our national security outweighs any possible benefit. If we could work out some acceptable arrangements on joint command and control, I would be pleased to support the sale.

I am not at all impressed with the argument that AWACS—the world's finest and only proven early warning and control platform—is somehow outdated technology of no great interest to the Soviet Union.

It is no secret that the Soviets are trying to develop an aircraft comparable to the AWACS, and it promises to be a less capable performer. But would anyone seriously question whether this country would like to get its hands on the Soviet Candid to see what it can and cannot do; how it is engineered, what its communications capabilities are, how we could exploit its vulnerabilities?

Mr. President, I understand the importance of Saudi Arabia's oilfields, and I want the Saudis to have an early warning capability. I am fully prepared to look for ways we can provide that capability in a manner consistent with Saudi Arabia's sovereignty and our own national security.

The sale as currently proposed does not meet that standard. The foreign policy advantages claimed for the sale are not commensurate with the inherent risk to technology vital to the defense of

America, and for that reason I am opposed to the sale.

Mr. PELL. Mr. President, I congratulate the Senator from Texas on his statement and particularly his point that, at this very time, the protection is being rendered to Saudi Arabia by the AWACS planes which are continuously in the air under American command, manned by American military people. This is what the American public has lost sight of. If it is protection or defense that concerns Saudi Arabia, they have it now. We do not have to do a single thing.

This is a step to assuage their aplomb, to massage their ego and make them feel better.

Mr. President, I yield.

Mr. PERCY. Mr. President, before yielding to the distinguished Senator from Texas and have him lead directly into his statement, I wish to say that his colleague from Texas, Senator BENTSEN, made the statement that we should sell AWACS to no other country.

Mr. President, I point out that if that is true—

Mr. BENTSEN. Mr. President, if the Senator will yield, I put that with a qualification. I said, "to any other countries without shared control."

Mr. PERCY. The situation exists, as the distinguished Senators know, that the United States has another airborne radar surveillance aircraft, the Hawkeye, which contains radar equipment comparable to and in some respects superior to the AWACS. We have sold the Hawkeye to Japan and Israel without any of the controls being insisted upon as in the case of Saudi Arabia, and Congress did not object.

The question could be raised: Knowing as we do that Saudi Arabia has an impeccable record in securing past U.S. military equipment sold to them, why should we be so unwilling to sell the Saudis the AWACS? Saudi Arabia has never breached any agreement they have made on military equipment sold to them.

At this time, therefore, I yield to my distinguished colleague, the chairman of the Armed Services Committee, Senator Tower. He has rendered a valuable service to the Senate and the people of the United States in preparing a detailed report on the military and security aspects of the sale. I yield 15 minutes to him to report on this or any other aspect of the decision he has reached.

Mr. TOWER. Mr. President, I thank my distinguished colleague, the chairman of the Foreign Relations Committee, for yielding to me, and I especially thank him for his very kind words.

I do not propose to use my entire 15 minutes. I shall reserve some of my time in the event matters come up here later on that perhaps I can deal with from my peculiar perspective as chairman of the Armed Services Committee.

Let me first note that the Armed Services committee in a 10-to-5 vote held that the sale of the AWACS to Saudi Arabia was in the national security of the United States of America.

It further held that the transfer of the AWACS did not constitute a military threat to Israel.

It further held that the risk of com-

promising U.S. technology was an acceptable risk, weighing the benefits that could flow from such a transfer against it, and it further held that the possession of the AWACS by the Saudi Arabian military would be of great assistance to the U.S. units operating in that region as they do on a continuing basis and as they certainly will in the event of a crisis situation or actually in a hostile situation in that area.

INTRODUCTION

Mr. President, I rise to express my absolute support for President Reagan's proposal to sell air defense enhancements, including AWACS aircraft, to Saudi Arabia. This sale proposal is clearly in the national security interests of the United States. If this initiative is rejected by the Senate, U.S. policies for the troubled Middle East and the Middle East peace process will suffer serious setbacks.

The Armed Services Committee was asked by the majority leader and the chairman of the Foreign Relations Committee to assess the military and technical implications of the proposed sales. The committee's report, which was overwhelmingly approved by a vote of 10 to 5, concludes "that the sale proposal is in the national security interests of the United States."

IMPORTANCE OF SAUDI ARABIA TO U.S. NATIONAL SECURITY INTERESTS

The importance of Saudi Arabia to U.S. national security interests is little understood. The basic fact is that a friendly and secure Saudi Arabia is essential to the national security interests of the United States and other Western nations with whom we are allied.

Saudi Arabia represents the most concentrated oil resources area in the world with 29 percent of the world's known crude oil reserves. Saudi Arabia accounts for 16 percent of the world's crude oil production. Key Western countries are heavily dependent on Saudi oil production. For example, the United States obtains 26 percent of its crude oil imports from Saudi Arabia; Japan, 32 percent; United Kingdom, 52 percent; West Germany, 35 percent; and France, 50 percent.

Continued access by industrialized countries to Saudi oil is crucial to the world's economy. Destruction of the oil facilities in Saudi Arabia, or their control by hostile forces, would produce a worldwide economic crisis and could tip the global balance of power to the Soviets and their allies.

In addition to the importance of Saudi oil to U.S. national security, preservation of the political and territorial integrity of Saudi Arabia is critical to U.S. interests because of its geostrategic location, its role as leader in the Middle East, and its efforts to lessen Soviet power and influence in the Persian Gulf region and elsewhere in the Islamic world. With respect to this last point, Saudi Arabia is staunchly anti-Soviet and anti-Communist. As part of this policy, it has not permitted the Soviet Union to have diplomatic representation in the kingdom since the late 1930's.

SECURITY SITUATION IN THE PERSIAN GULF REGION

From the free world's perspective, the security situation in the Persian Gulf region has seriously worsened since 1978. Contributing to this worsened situation was the collapse of the U.S. policy of containment of Soviet expansion into the Persian Gulf region.

The revolution in Iran replaced a pillar of U.S. security policy for the region with an unpredictable, unstable, and certainly unfriendly regime. Iran's policies now are anti-American and anti-Saudi.

The subsequent Soviet invasion of Afghanistan in December 1979 and the installation of a Soviet puppet government have destabilized the entire Persian Gulf region. Soviet forces in Afghanistan are within striking distance of other vital countries, including Saudi Arabia.

More recently, the conflict between Iran and Iraq has produced a volatile, emotion-charged situation with the potential to spill over to other Gulf states. Moreover, this conflict has also demonstrated the destruction that warfare can bring to the region's oil facilities and that regional states are not deterred from attacking oil facilities.

The dramatic changes in the security situation in the Persian Gulf which have occurred in the last 3 years have greatly heightened the threats to U.S. interests in the region. Key among these is that Saudi oil resources are now vulnerable and threatened by external forces. The Carter doctrine, announced in January 1980, was the most symbolic recognition of the seriousness of the security environment in the Persian Gulf region.

Much has been made of the assurances which the Carter administration gave to the Congress in 1978 that certain enhancements for F-15 aircraft would not be provided to Saudi Arabia. Such assurances are not taken lightly by the Congress. However, the strategic context in the Persian Gulf region has been sufficiently altered in the past 3 years so as to justify amendment of the Carter administration's assurances.

SAUDI NEED FOR AWACS AIRCRAFT

The principal external threats to Saudi Arabia are from Iran, Iraq, South Yemen, and the Soviet Union. While the Soviet threat to Saudi Arabia is comprehensive, it is primarily indirect.

These external threats are serious, given Saudi Arabia's strategic vulnerabilities, which include its geography, the fragility of oil fields, regional instability, and its status as a target of Soviet strategy in the region.

Saudi Arabia is a large, but sparsely populated country with long, lightly defended, and poorly defined frontiers. In addition, high value economic assets are concentrated near the east coast. In fact, 90 percent of Saudi oil production capability lies within a 100-mile radius which is less than 20 minutes flying time—take-off to bomb drop—from the main operating bases of hostile or unstable neighbors.

In addition to the strategic vulnerabilities of concentrated oil resources near the Saudis' Persian Gulf coast and the

proximity of threatening forces, Saudi air defense also suffers from the flat coastal areas in the oil field region, which preclude the use of ground-based radars for early warning of low-level air attack. All of Saudi Arabia's potentially hostile neighbors to the north and east have the capability to conduct such an air strike against Saudi oil targets.

Saudi ground-based radars can detect low-flying aircraft at a range of only about 20-25 nautical miles, resulting in only 2 to 4 minutes of warning before the attacking aircraft reach bomb-release points over the oil fields. This limited warning does not provide the Saudis adequate time to react with any of their air defense assets until after attacking aircraft have struck the oil fields.

Only an airborne early warning capability can detect low-flying aircraft at sufficient ranges to permit Saudi air defense systems to engage the threat prior to reaching its targets.

With an AWACS aircraft, the detection range of low-level air attack would be increased to 150 to 200 nautical miles or about 20 minutes of warning. With this time, an airborne intercept could be completed well prior to the threat aircraft reaching their targets, and ground-to-air missiles could engage the hostile aircraft.

The current Saudi inventory of AIM-9P missiles must be launched from a tail-chase position for effective use. Maneuvering into a rear attack position requires valuable time, prevents interceptors from engaging multiple hostile targets, and lowers the probability of intercept and kill. The AIM-9L missile proposed for sale to Saudi Arabia has a head-on attack capability. With this capability, fewer Saudi interceptors could engage oncoming aircraft immediately and further reduce the possibility that they could damage vital oil facilities.

The defense capabilities of Saudi forces are constrained by limited skilled military manpower and limited base structure. Saudi Arabia's armed forces are small. In addition, the country has a limited reserve of skilled manpower.

Saudi Arabia has only six major air bases to cover its entire country with a seventh under construction. If Saudi Arabia lost its forward air base at Dhahran in the oil field area, its interceptors would have to fly missions of 600 to 800 miles to defend the oil fields.

The conformal fuel tanks and aerial refueling tankers extend the range, endurance, and operational flexibility of Saudi F-15's. Given the relatively small number of F-15 aircraft, these are important defensive capabilities. The tankers also extend the endurance of AWACS aircraft.

The air defense package proposed for sale to Saudi Arabia is well-designed and effective. Even the staunchest opponents of the sale proposal on the Armed Services Committee fully agree that the proposed package of air defense enhancements has been appropriately structured and directly tracks with legitimate Saudi needs. The sale that we are debating is not a symbolic gesture. It is a debate of whether the United

States should assist a friendly country by helping to fulfill a legitimate defense requirement.

Some have argued that the AWACS aircraft to be sold to Saudi Arabia is downrated and that a more capable configuration should be sold to the Saudis. This is a false argument. The AWACS aircraft configuration proposed for sale is optimized for Saudi homeland defense and fulfills all of the Saudi requirements for this mission.

Some Senators have proposed joint command or manning arrangements for Saudi AWACS aircraft. Joint command or manning is unnecessary from either a United States or Saudi perspective. In the sales package, the United States is guaranteed security, data sharing, information controls, and flight usage agreements. Additional assurances will result in U.S. personnel being aboard Saudi AWACS aircraft at least until 1990, and U.S. personnel involvement in AWACS operations throughout the life of the system.

The sovereignty of the Saudi Government is a serious factor. Should the United States attempt to force the formality of a joint command or manning agreement on the Saudis, they could well be undercut politically by the hard-line states or Islamic fundamentalists. Since the U.S. objective is to strengthen, not jeopardize Saudi security, pursuing such a formal declaration on command and control of AWACS aircraft would be unwise.

THREAT TO ISRAEL

The United States remains fundamentally and unalterably committed to the security of Israel. The United States has no better friend in the Middle East than Israel. I believe that it is in our national interest to preserve the political and territorial integrity of Israel. Further, we have a moral obligation to do so. I have always supported every assistance program, military and economic, designed to assist Israel, and I will continue to do so.

Thus, I would not support anything that I seriously believed would jeopardize the security of Israel. In fact, the proposed sale will not.

The threat posed to Israel by these air defense enhancements is an issue of considerable concern to my colleagues in the Senate. The Armed Services Committee has fully examined these legitimate concerns. The committee found that acquisition of the proposed air defense package, including AWACS aircraft, by Saudi Arabia would have a negligible impact on the Arab-Israeli military balance, which distinctly favors Israel. With or without these Saudi air defense enhancements, Israel is capable for the foreseeable future of defeating any realistic combination of Arab military forces.

Most importantly, the committee's findings in this regard are fully supported by analyses of the U.S. intelligence community.

CONCLUDING REMARKS

Mr. President, the facts relating to the proposed sale of AWACS aircraft and other air defense enhancements to Saudi

Arabia fully support President Reagan's proposal:

The Saudis have a legitimate defense requirement for these equipments;

The security situation in the Persian Gulf region has seriously worsened in the last 3 years posing real threats to U.S. interests, especially Saudi oil fields; and

This air defense package would have a negligible impact on the Arab-Israeli military balance.

I urge my colleagues to put aside partisan and domestic political considerations. This issue is extremely critical to U.S. interests in the Persian Gulf and Middle East regions.

If the merits of the arguments are comprehensively weighed, I am certain that the Senate will support the President's proposal.

I further say that it is the policy of the United States to try to build indigenous military capability in areas where we have a mutual interest with the countries of a particular region.

It is U.S. policy that holds that the Soviet Union and Soviet proxies are the principal threat to the stability and the security of the area.

The transfer of sophisticated military equipment to Saudi Arabia is an implementation of that policy.

We can hardly contend that the threat exists and then deny to countries of the region the ability to defend themselves.

For some strange reason, and I am glad to see the Vietnam syndrome is gone and I am glad to see that it is over, now the reverse seems to be occurring. There seems to be a number of people suggesting "Let us put Americans over there. Let us risk American blood and American treasure rather than sell military equipment."

Quite candidly, I do not think that makes a great deal of sense.

Mr. President, the time has come when we must recognize that if we are going to develop the capabilities of the indigenous forces we are going to have to give them something better than obsolescent equipment to do the job with.

As I said earlier, this is a validated requirement. It is a part of an air defense system. It does not lend itself to offense capability and could under no real conceivable circumstances based on any objective military standard be used to manage a pan-Arab war against Israel.

As to the American technology involved, there is nothing wrong with saying that it is technologies of the sixties, seventies, or perhaps some fifties technology, because that is what it is. That does not make it obsolete junk. It is a good system and married to our current computer technology it makes it an extremely effective air defense system. But let us distinguish between the value to us and the value to the Soviets. The Soviets have comparable technology. They will have the Candid flying before these aircraft are delivered to Saudi Arabia.

In the matter of the AIM-9L Sidewinder, the Soviets have an all-aspect, heat-seeking missile in the SA-14.

What they would gain by this transfer should it ever fall into their hands would be minimal when we put it along

side what is required to defend our interest in the region.

Mr. President, the Armed Services Committee is very concerned about technology transfer to our adversaries. We are probably more concerned than any other committee of the Senate, and we have looked into this matter carefully and we are convinced that that is indeed an acceptable risk.

The Soviets can get more intelligence on American systems by buying a copy of Aviation Week on the newsstands. That is their best source of intelligence on American technology. It only costs them a buck and a half or whatever the newsstand price of Aviation Week is.

The Saudis admittedly have not the same kind of political system the United States has. It is a more authoritarian system. For that reason their security measures are far more effective than ours. They are certainly more effective than those in Western Europe, and we are transferring the AWACS to NATO countries.

It is true that the Supreme Allied Commander, Europe, is an American, but there is nothing to prevent the AWACS being operated by a non-American crew in NATO. It could be an all-German crew. Once the crew has charge of that airplane it is in the air and there is not much in the way of direct control that can be exercised over it by General Rogers sitting back in Mons, Belgium. So I would suggest there is fully as much at risk in transferring the AWACS to NATO as there is in transferring them to Saudi Arabia because in Saudi Arabia, for one thing, there will be a greater requirement for American crewing, American support and maintenance, than in the NATO instance, where their technological and manpower resources are much greater.

So in my view, Mr. President, that is a nonargument.

I would yield the floor at this point and reserve the remainder of my time, with the hope that I might be able to utilize some of it later.

Mr. PERCY. I thank my distinguished colleague. I am sure that it can be worked out.

I am happy to yield at this time 10 minutes to the distinguished Senator from West Virginia (Mr. RANDOLPH).

(Mr. BOSCHWITZ assumed the chair.)

Mr. RANDOLPH. Mr. President, I am grateful for the opportunity afforded to me to be a participant and to speak briefly in this debate.

Mr. President and my colleagues and our friends who are listening to the discussion today, we might well be reminded of what Napoleon Bonaparte said a long time ago:

Nothing is more difficult and, therefore, more precious than to be able to decide.

Apparently there will be, later in the day, a very close decision from the standpoint of the winning or the losing of the proposal which is before us.

During my 14 years in the House of Representatives and during now 23 years in working with my colleagues in the Senate, a total of 37 years, I have cast not on quorum calls but on rollcalls

9,483 votes. That is a considerable number of votes with and for at times the position of the President of the United States, and at other times not supporting what might be an administration proposal.

Only to indicate the record of the decisionmaking process, I think back to the late evening of August 12, 1941. At that time I was a Member of the House of Representatives from the Second District of West Virginia, having been elected first in 1932. I was sworn in on March 9, 1933, 5 days after the President of the United States, Franklin Delano Roosevelt, first took his oath of office.

On that evening there comes back to me, even in the quiet of this Chamber, the acrimony and the bitterness sometimes in the debate that was generally high level, analytical, and helpful. What were we to decide? It was the extension of the Selective Service Act; in other words, to institute a continuance of the draft law. I remind you the decision was made on August 12, 1941.

What was the result? The result was 203 votes for the draft, 202 votes against the draft.

Mr. President, I voted for the draft. During the heated discussion those of us who were in support of the continuation of the Selective Service law were considered alarmists. Opponents said that no nation would strike the United States. I recall now that approximately 3 months later the Japanese attacked us by sea and air at Pearl Harbor.

I underscore that the draft did serve a positive purpose for us in the successful prosecution of the conflict.

I accord to all my Senate colleagues their conscience and judgment on roll-calls that, in a sense, are the process of decisionmaking rather than going for or against an administration or supporting the committee that brings a measure to this body.

This issue is not a question of the prestige of the President. In my judgment, the ability and capability of our Nation to conduct an evenhanded program for peace in the Middle East and other parts of the globe is at stake.

A negative decision on the proposed sale of the AWACS to Saudi Arabia could lessen U.S. credibility in the Middle East and throughout the world.

There are times—many, many times—when the decisionmaking process is one that calls for intensive study. In this case I have taken approximately 7 weeks to reach my decision. I have taken home materials and voluminous studies, as I read late into the night. I have tried very diligently to assess this problem and to make a right decision.

One week ago last Friday, while in the State of West Virginia—and it was a night in the room of the Charleston House in our State capital city—during a period of some loneliness but not solitude, I came to the conclusion that I would support the proposed sale of the AWACS package to Saudi Arabia.

I made the decision without leg pulling or arm twisting, without talking to the President of the United States, that I would not wait. I would make the announcement on the next day October 17,

on our return to Washington. At that time I made a brief statement which I am going to read in the Senate.

The following expresses the reasoning that I have for supporting this proposal:

I will support the proposed sale of the AWACS system and associated components to Saudi Arabia.

This issue is perhaps one of the most difficult I have encountered in my 37 years of congressional service. It has received my diligent and open-minded study.

Approval of the sale, is, I believe, in the best interest of the security of the United States and the peoples of the Middle East. It should strengthen our capacity to help bring peace and maintain stability in that troubled region.

Disapproval of this sale, in my judgment, will lead to increased conflict among the nations of the Middle East. To deny the Saudi purchase could give the Russians an unparalleled opportunity to further their influence in that area. The Soviets already have a foothold in Libya, Syria, Iraq, South Yemen, Afghanistan, and in Ethiopia.

I believe the sale will be beneficial to our strongest ally in the region, Israel. That country's security is dependent in large part on the United States. The stronger our ties are in the Middle East, the stronger the security of Israel.

Legitimate concern has been expressed over the sophistication of the weapons system that the Saudis hope to purchase. These aircraft will be jointly manned with Americans until the 1990's. I stress also that the AWACS the Saudis will be receiving do not have the capabilities of the aircraft being used by U.S. forces. The first AWACS involved are not scheduled for delivery until late 1985. The sale can be canceled in the interim, if developments so dictate.

As one Senator, whatever the time of the vote today, I will approve the action of the sale of the AWACS to the Saudi Arabian Government. I thank the able chairman of the Foreign Relations Committee, Mr. PERCY, and my esteemed colleague, the ranking committee Democrat, Mr. PELL, for providing me the time to speak.

Mr. PERCY. Mr. President, I wish to thank my distinguished colleague very much, indeed, for a very thoughtful statement. I said before he arrived on the floor that in the Senator's prayer breakfast this morning he mentioned five States that came into the Union by one vote. We are looking for that one vote today on this issue.

I am happy to yield 10 minutes to my distinguished colleague from Indiana, Senator QUAYLE.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. QUAYLE. Mr. President, I thank the distinguished chairman of the Foreign Relations Committee and my neighbor in the Midwest State of Illinois.

Mr. President, D-day for AWACS and the F-15 enhancement package has arrived. Though I and other Senators have serious misgivings about this particular sale at this particular time, there are more serious misgivings about the possi-

ble consequences of a defeat for President Reagan.

There is no doubt that the perceptions and impact around the world would be disastrous if the Senate were to pass this resolution of disapproval. During the debate those of us who are going to support the President must make it unquestionably clear that our strong commitment to the sovereignty and security of Israel continues.

After careful review, I am convinced that this sale does not constitute a security threat to Israel. If it did, I would not be voting for the package.

With the loss of Iran and the uncertainty of Egypt the United States must find new allies which can bring other moderate Arab nations into the peace process, so that the security of Israel will be enhanced and not jeopardized.

President Reagan has determined that this sale to Saudi Arabia will begin a new period of friendship between our two nations that will lead to more stability in the Middle East. He, in consultation with others, has charted a policy in which the expectations are for Saudi Arabia to be far more cooperative with the United States, for the peace process, and toward Israel than they have been in the past.

There is no doubt that Saudi Arabia's history reflects antagonism toward Israel and an arrogant posture toward us and others. We hope this will change. This sale, with all the blood that has been let, is certainly going to provide the basis to observe a more cooperative Saudi Arabia. It must be pointed out that the transfer of the AWACS plane does not occur until 1985. If there are not positive changes in these attitudes and conditions, it is doubtful these planes will actually be transferred at that time to Saudi Arabia.

I would like to take a moment, Mr. President, to review the bidding and cite, for the record, the chronology of events which have preceded this historic moment.

The origins of the sale can be traced to the two occasions on which U.S. Air Force AWACS were temporarily deployed in Saudi Arabia to meet the imminent crises associated with the Yemen and Iraq-Iran wars in 1979 and 1980 respectively.

The planes were deployed to protect the Saudi oil fields from destruction by air attack. Any major disruption in the delivery of oil from those fields would be catastrophic to the world's economy.

The U.S. Air Force also supported Saudi Arabia during that period by conducting analyses directed at finding a permanent solution to the problem of defending the oil fields. Out of this effort came the conviction that a permanent AWACS presence would be required in the Mideast.

The concept of meeting this requirement by outright sale of AWACS to Saudi Arabia also arose during this period. While there is some question as to who made the first suggestion, but it seems clear the Departments of Defense and State implied that a request by the Saudis for the planes might be met with

a favorable response by the U.S. Government.

Congressional opposition to such a move was immediate and has continued unabated until this moment. That opposition was generally expressed in two forms: First, as a request that the administration not pursue the sale, and second, that the specific terms of the sale be revised to eliminate several distinct concerns. Also, many of us felt it was wrong to combine the F-15 enhancement package with AWACS. After all, AWACS planes are not scheduled to be transferred until 1985, so what was the rush?

Neither President Carter, under whose administration this prospect was first raised, nor President Reagan immediately responded to these expressions of opposition. On October 1, 1981, the sale was formally presented to the Congress as required by the Arms Export Control Act and Congress had 30 days for both Houses to pass resolutions objecting to the sale.

On October 1, Secretary of State Haig testified before the Senate Foreign Relations Committee that negotiations with the Saudis had been completed and that it would not be possible to reopen those negotiations prior to the 30-day period allowed for the Congress to vote on the sale.

I found myself in a position which, I believe, many of my colleagues shared: on the one hand, I was dissatisfied with the package as it had been explained. The administration had told us time and time again that once it had the opportunity to "make its case" we would find that our concerns were unfounded. The administration made its case and we found that, indeed, we still had concerns that were serious enough to make voting for the sale difficult, if not impossible.

On the other hand, there is a strong desire to support the President of the United States in his conduct of our foreign policy. We have seen the problems which have arisen when foreign policy is made by congressional committee—we ended up with a congressional camel. We had a foreign policy which swayed back and forth with the shifting sands of public opinion and which was dangerous to world peace as our allies found it impossible to follow in our footsteps and our enemies began to prepare for the worst in their own self-interests.

On that same day—October 1—I met with President Reagan and expressed my concerns about the proposed sale. After that meeting I was convinced that there would have to be some change in the negotiated sale before it could be passed by the Senate.

Five days after my meeting with President Reagan, the distinguished Senator from the State of Washington, Senator GORTON, I and other freshmen Senators met to discuss our mutual concerns. The conclusion of that meeting was that none of us could support the AWACS sale as it then had been presented. Simply stated, there would have to be significant changes before we would be able to vote for the sale. We also concluded that if we, as strong supporters of the President, had these

doubts that the sale was doomed unless changes would be forthcoming.

We were aware that the Saudis had publicly gone as far as they could. However, it became apparent that many of our concerns were answered by the President off-the-record, but those commitments were not part of the package. The objective became to make those understandings which had been disclosed by the President and his top officials in private, public and legally binding.

Our mechanism for answering our concerns and showing that the package had changed, involved a letter of certification from the President binding his office to certain specific conditions that would be met before the transfer of the AWACS planes in 1985.

The request for certification addressed the following concerns:

SECURITY OF U.S. TECHNOLOGY

First. A detailed plan for the security of the equipment and supporting documentation has been agreed to by the United States and the receiving nation; and that, second, such security provisions are no less stringent than measures employed by the United States for the protection and control of its equipment of like kind elsewhere in the world outside of the continental limits of the United States; and that, third, the United States shall have the right to thoroughly inspect the equipment not less frequently than twice a year during its useful life.

COMMAND AND CONTROL OF THE AWACS

First. That the recipient foreign nation has agreed to share with the United States continuously and completely all of the information which it acquires from the use of such equipment.

Second. That the recipient foreign nation has agreed not to share access to any such equipment, technology, documentation, or information developed from such equipment or technology with any nation other than the United States without the prior explicit consent of the President.

SCREENING OF PERSONNEL

First. That there is in place adequate and effective procedures for the screening and security clearance of citizens of the recipient foreign nation, and unconditional assurances that only such cleared citizens of that nation and cleared nationals of the United States will have access to the equipment, technology, documentation, or information derived therefrom.

Second. That the recipient foreign nation will not permit citizens of third nations either to perform maintenance on such equipment or to modify any such equipment.

AWACS FLIGHT OPERATIONS

That all such equipment shall be operated solely and exclusively within the boundaries of the receiving nation and solely and exclusively for purely defensive purposes as defined in the agreement except with the advance explicit consent of the President of the United States.

COMMAND STRUCTURE

That the agreement in respect to the organizational command and control

structure for the operation of any such equipment is of such a nature as to guarantee that the commitments outlined above will be honored.

PEACE INITIATIVES

That initiatives toward the peaceful resolution of disputes in the area in which the recipient foreign nation is located have either been successfully completed or that significant progress toward that good has been accomplished with the substantial assistance of the recipient foreign nation.

On October 7, Senator GORTON and I hand delivered a copy of our request for certification to Vice President GEORGE BUSH in the White House. We explained to him and others that our vote hinged on the acceptance of this certification and the spelling out of these specific conditions.

On October 15 the Armed Services Committee, of which I am a member, adopted a report requesting certification from the President on the issues security of U.S. technology, command and control of AWACS, screening of personnel, AWACS flight operations, and peace initiatives.

The letter of certification will arrive today. I have seen a copy. I have not, as of this moment, seen the signed copy.

It binds the Office of the President on these conditions as I have recited them here. Though the President is going to win this battle with the Congress, in my opinion, I certainly hope this is not a sample of how foreign policy is going to be conducted. I sincerely hope that the President, his advisors, and other interested persons in putting forth the new foreign policy we were promised last year, have learned from this entire affair.

This is not a high watermark for the President or for this Nation. From the mistakes of the past, I hope we are better prepared for the future.

The PRESIDING OFFICER. The time yielded to the Senator from Indiana has expired.

Mr. PERCY. Mr. President, I thank my distinguished colleague very much indeed.

Mr. President, may I put a question to my distinguished colleague from Washington as to whether he would like to proceed now?

Mr. PACKWOOD. If the Senator from Illinois will yield, might I make a brief announcement during this period?

Mr. PERCY. Of course.

Mr. PACKWOOD. Senator PELL has very graciously entered into not a formal agreement but an arrangement in which we will try to allocate time between Republicans and Democrats on this issue.

I want to say to those who are listening on their squawk boxes in their offices that we will have to hold to the time limits and the times. If those who are planning to speak are not here on time, they may lose their chance to speak altogether.

Mr. PERCY. I thank my distinguished colleague. It will be difficult if we do not have Senators on the floor when they are scheduled to speak. If a Senator is scheduled to speak and is not on the floor, he may lose his time.

Mr. President, I am happy to yield 12 minutes to my distinguished colleague from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. GORTON. I thank the distinguished Senator from Illinois.

As every Member of this body who has dealt with this question knows, the sale of AWACS to Saudi Arabia has turned out to be the most dramatic proposal with which Congress has dealt this year, and in this body the most closely contested issue of 1981.

Within that close contest, however, there is relatively widespread agreement for a number of propositions. A very substantial majority of the Members of the Senate feel either that the proposed sale is unwise or, at the very least, premature. An even larger number of Members of this body feel that the proposed sale lacks appropriate safeguards. It is obviously certain from the nature of this contest that an appropriate or proper groundwork for the proposal was not laid with either House of Congress.

While all of us have spent a great deal of our time discussing these essentially secondary points in connection with the AWACS debate, they are essentially pointless arguments.

We do have the sale before us. We must vote on the proposed sale today.

I may say incidentally for all of us that it is relatively easy to be wise after the event and to counsel the administration on how this proposed sale should have taken place. On the other hand, if the President and the administration were always perfect, there might not be any need for this body to hold this debate. We must deal with what we have before us and not what we wish we might have had before us.

There are a number of substantive arguments against the proposed sale of the AWACS which, in my view, carry considerably greater weight. Perhaps the most serious in my mind is the role which Saudi Arabia has played and will play in the peace process in the Middle East, because a just and lasting peace in that part of the world must be one of the highest goals of this administration, of this Congress, and of this Nation.

The administration, in proposing this sale, has told us that Saudi Arabia has already begun to play a constructive role in that peace process. That contribution, however, is not impressive to this point to this Senator or, I suspect, to many others.

Having come to that conclusion, however, we are still left with the question as we vote today: Will the approval or disapproval of this sale lend more weight to the peace process in the future? Will our disapproving this sale make Saudi Arabia more or less likely in the immediate future to take a role in the process of reaching peace in the Middle East?

It seems to me that that question is relatively easy to answer. While we have no guarantee that Saudi Arabia's response or contribution will be significantly greater with this sale, it clearly will be a step backward if, at this point, under these circumstances, we should reject it.

My own personal concern in connection with this sale has related more to that subject than any other, to the fact, as many of the opponents of the sale have pointed out, that Saudi Arabia has generally dealt with us on more or less a unilateral basis. Previous sales of arms and equipment and aid by the United States have not resulted in an arrangement under which we are mutually dependent on one another—that nation needs our help and support as much as we need theirs. It is important for all of us to recognize that that interdependence does, in fact exist. I do not believe trust and confidence at this point would be enhanced by the rejection of this proposal.

A second vital question relates to the potential use or potential misuse of the AWACS equipment, and the obvious consequent threat to our ally, the democratic State of Israel.

The opponents to this sale rightly concern themselves with unilateral or unenforceable promises about the use of this and other military equipment.

It seems to me, however, that here, as well, we have a situation or question which is not particularly easy to answer.

It is my belief that Israel will be able to defend itself, even against the misuse of AWACS. But the most important point is that Israel should never be required to face that difficulty.

Another question raised consistently and widely in connection with this sale relates to the stability of the Saudi Arabian Government itself. I may say, incidentally, in a particularly unstable part of the world, the Saudi Arabian Government has been one of the more stable and more consistent during the course of the 60 years since the end of World War I. Nevertheless, that question remains. It leads, it seems to me, inevitably to the next question, which is: Will the stability of the Saudi Arabian Government be enhanced or subverted by our action here, specifically by the rejection of the sale on the part of the United States?

I am convinced that on this question, the distinguished chairman of the Foreign Relations Committee is correct. If we reject our friends in Saudi Arabia, that Government and its direction toward the United States will be subverted and hurt rather than helped. If we show ourselves once again—perhaps too often—to be a good ally, we are likely to strengthen the present Saudi Arabian Government.

The very distinguished and thoughtful Senator from Rhode Island, who is managing the opposition to this sale, stated that the question was closely divided; that it was very difficult; and that for each argument on one side, there was an almost equally valid and compelling argument on the other. I totally agree with him. It is for just that reason that the distinguished Senator from Indiana (Mr. QUAYLE), and four other colleagues—Senators ANDREWS, KASTEN, MATTINGLY, MURKOWSKI—and I met on the 6th of October in order to try to change a proposal which we opposed and which we would, I believe, in almost every case, oppose today had it been unchanged. It was our intent to change this situation by providing for certain explicit conditions to be met on the part of the President before the sale could be approved or before we could support it.

It is important to support the President of the United States in foreign policy initiatives when it is possible to do so, but I again agree with the Senator from Rhode Island that that is not the sole question. The President must be opposed if he is clearly wrong. When we do not agree with him, however, we must do what we can to change objectionable conditions to the extent necessary in order to allow us to support him.

The group of six Senators who met on the 6th of October did not know, at the time we started, of the so-called Nunn-Warner resolution. I wish to say that I regard that resolution as a constructive step forward and as one of the steps which may make the passing of this proposal possible. In its original form, however, it was nothing more than an expression of the Senate and was not binding on the President. We believe that any such commitment should, in fact, be binding on the Senate and on the President, and therefore, as the Senator from Indiana has pointed out, we submitted a certain set of conditions to the Vice President of the United States on the 7th of October.

The response has been several drafts of proposed conditions which the President would agree to. Only in the last 2 or 3 days has the President agreed in toto to all of the conditions which were set forth in the document which the Senator from Indiana has already made a part of the RECORD.

He and I were the prime authors of that proposal, Mr. President, with significant contributions by the Senator from Georgia (Mr. MATTINGLY) and the Senator from Alaska (Mr. MURKOWSKI). It, of course, does not bind any of the other participants in that set of discussions or negotiations. Essentially, what we have at this point is the commitment—the formal, written commitment of the President of the United States—which concerns both the use of the AWACS aircraft themselves and the nature of the guarantees for the proposition that Saudi Arabia will live up to its undertakings, which were originally not made public.

The key to the President's certification in this respect reads that agreements as they concern organizational command and control structure for the operation of AWACS are of such a nature as to guarantee that the commitments outlined in the balance of his letter will be honored. In my view, it will be very difficult for the President to make that certification, perhaps impossible for the President to make that certification to the Senate of the United States, without some form of joint control of the aircraft after they have been sold to Saudi Arabia.

At this point, Mr. President, I ask unanimous consent to have the letter which is being submitted by the President of the United States printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, D.C., October 28, 1981.
Hon. HOWARD H. BAKER, JR.,
Majority Leader, U.S. Senate,
Washington, D.C.

DEAR SENATOR BAKER: On October 1, 1981, I formally notified the Congress of our intention to sell AWACS aircraft and F-15 enhancement items to Saudi Arabia. This sale will enhance our vital national security interests by contributing directly to the stability and security of the critical area from the Persian Gulf through the Middle East to North Africa. It will improve significantly the capability of Saudi Arabia and the United States to defend the oilfields and facilities on which the security of the Free World depends, and it will pose no realistic threat to Israel.

When this proposed sale was first announced last spring, the Congress expressed concerns about certain aspects of the sale. After analyzing these concerns in detail, we entered into a series of discussions with the Government of Saudi Arabia over the summer.

The Government of Saudi Arabia has agreed, and I am convinced welcomes the fact, that the United States will have an important, long-term role and will maintain direct involvement in the development of the Saudi air defense system, including the AWACS. We also have reached agreement with the Saudi Government on a number of specific arrangements that go well beyond their firm agreement to abide fully by all the standard terms of the normal Letter of Offer and Acceptance as required by the Arms Export Control Act.

Transfer of the AWACS will take place only on terms and conditions consistent with the Act and only after the Congress has received in writing a Presidential certification, containing agreements with Saudi Arabia, that the following conditions have been met:

1. SECURITY OF TECHNOLOGY

A. That a detailed plan for the security of equipment, technology, information, and supporting documentation has been agreed to by the United States and Saudi Arabia and is in place; and

B. The security provisions are no less stringent than measures employed by the U.S. for protection and control of its equipment of like kind outside the continental U.S.; and

C. The U.S. has the right of continual on-site inspection and surveillance by U.S. personnel of security arrangements for all operations during the useful life of the AWACS. It is further provided that security arrangements will be supplemented by additional U.S. personnel if it is deemed necessary by the two parties; and

D. Saudi Arabia will not permit citizens of third nations either to perform maintenance on the AWACS or to modify any such equipment without prior, explicit mutual consent of the two governments; and

E. Computer software, as designated by the U.S. Government, will remain the property of the USG.

2. ACCESS TO INFORMATION

That Saudi Arabia has agreed to share with the United States continuously and completely the information that it acquires from use of the AWACS.

3. CONTROL OVER THIRD-COUNTRY PARTICIPATION

A. That Saudi Arabia has agreed not to share access to AWACS equipment, technology, documentation, or any information developed from such equipment or technology with any nation other than the U.S. without the prior explicit mutual consent of both governments; and

B. There are in place adequate and effective procedures requiring the screening and security clearance of citizens of Saudi Arabia and that only cleared Saudi citizens and

cleared U.S. nationals will have access to AWACS equipment, technology, or documentation, or information derived therefrom, without the prior, explicit mutual consent of the two governments.

4. AWACS FLIGHT OPERATIONS

That the Saudi AWACS will be operated solely within the boundaries of Saudi Arabia, except with the prior, explicit mutual consent of the two governments, and solely for defensive purposes as defined by the United States, in order to maintain security and regional stability.

5. COMMAND STRUCTURE

That agreements as they concern organizational command and control structure for the operation of AWACS are of such a nature to guarantee that the commitments above will be honored.

6. REGIONAL PEACE AND SECURITY

That the sale contributes directly to the stability and security of the area, enhances the atmosphere and prospects for progress toward peace, and that initiatives toward the peaceful resolution of disputes in the region have either been successfully completed or that significant progress toward that goal has been accomplished with the substantial assistance of Saudi Arabia.

The agreements we have reached with Saudi Arabia on security of technology, access to information, control over third-country participation, and AWACS flight operations will be incorporated into the U.S./Saudi General Security of Military Information Agreement, the Letters of Offer and Acceptance (the government-to-government sales contracts), and related documents. These documents will stipulate that the sale will be cancelled and that no equipment or services will be delivered in the event any of the agreements is breached. I will not authorize U.S. approval of any of these contracts and agreements until I am satisfied that they incorporate fully the provisions that satisfy the concerns that you and I share. I do not foresee any need for changes in these arrangements, but should circumstances arise that might require such changes, they would be made only with Congressional participation.

I believe it is important to look beyond these agreements to their practical consequences, and to the implications of U.S. security assistance and training requested by Saudi Arabia. For example, the agreement we have reached with the Saudi Government to protect the security of equipment also affects the nature, extent, and duration of the U.S. role in the AWACS program. Since skilled Saudi personnel available for this program will remain in short supply, the U.S./Saudi agreement that third-country nationals will not be permitted to operate or maintain the Saudi AWACS will, in practice, extend U.S. involvement in Saudi AWACS operations and activities well into the 1990s. U.S. military and contractor personnel will be required to provide extensive operational training for Saudi AWACS aircrews; it will be 1990 at the earliest before the eight Saudi crews needed to operate all five AWACS aircraft will be trained, and replacement and refresher training of individual Saudi crew members will require USAF Technical Assistance Field Teams during the 1990s. Critical AWACS maintenance, logistics, and support functions, particularly radar and computer software support, will, of necessity, be performed by U.S. personnel in Saudi Arabia and in the United States, for the life of the AWACS.

The Saudi agreement not to share AWACS-gathered information with third countries also has significant practical consequences. This agreement, combined with the standard requirement that U.S.-supplied equipment be used solely for defensive purposes, as well as the agreed-to Saudi AWACS configura-

tion, precludes any possibility that Saudi AWACS could contribute to coordinated operations with other countries' armed forces against any nation in the region without our consent and cooperation.

Concerning the agreement to operate AWACS only inside the Kingdom, it should also be noted that the Saudi Air Force will be trained to operate the AWACS in accordance with standard USAF AWACS doctrine and procedures, which call for AWACS to remain at all times a "safe distance" behind sensitive political borders—normally 100 to 150 nautical miles—to ensure AWACS security and survivability. Given the physical location of the oilfields AWACS is to defend, the vulnerability of AWACS should it operate near sensitive borders, and the history of Saudi observance of U.S. Air Force tactical doctrine, we are confident that the Saudis will adopt these practices.

In a broader sense, by enhancing the perception of the United States as a reliable security partner, we improve the prospects for closer cooperation between ourselves and the Saudi Government in working toward our common goal of a just and lasting peace in the region. Since assuming the responsibilities of the Presidency, I have been impressed by the increasing constructive policy of Saudi Arabia in advancing the prospects for peace and stability in the Middle East. The Saudi Government's critical contribution to securing a cease-fire in Lebanon is a striking example. I am persuaded that this growing Saudi influence is vital to the eventual settlement of the differences that continue to divide Israel and most of the Arab world.

I am confident that the Saudi AWACS will pose no realistic threat to Israel. I remain fully committed to protecting Israel's security and to preserving Israel's ability to defend against any combination of potentially hostile forces in the region. We will continue to make available to Israel the military equipment it requires to defend its land and people, with due consideration to the presence of AWACS in Saudi Arabia. We have also embarked on a program of closer security cooperation with Israel. This proposed sale to Saudi Arabia neither casts doubt on our commitment, nor compromises Israel's security.

It is my view that the agreements we have reached with the Government of Saudi Arabia to take account of the concerns raised by the Congress. I am persuaded, as I believe the Congress will be, that the proposed Saudi air defense enhancement package makes an invaluable contribution to the national security interests of the United States, by improving both our strategic posture and the prospects for peace in the Middle East. I look forward to continuing to work with you toward these vital goals.

Sincerely,

RONALD REAGAN.

The PRESIDING OFFICER. The time yielded to the Senator from Washington has expired.

Mr. GORTON. Will the Senator from Illinois grant me 2 more minutes?

Mr. PERCY. Mr. President, I yield 2 additional minutes to the distinguished Senator.

Mr. GORTON. I thank the distinguished Senator.

Mr. President, the second and equally vital part of this certification relates to the fact that the President, before these planes are delivered, will certify to the Congress of the United States that initiatives toward the peaceful resolution of disputes in the Middle East have been successfully completed or that significant progress toward that goal has been accomplished with the substantial as-

sistance of Saudi Arabia. This does not mean that I, any more than the Senator from Indiana, am totally happy with this proposal. But it does swing the balance to a different ultimate conclusion from our conclusions at the time of the submission of this proposed sale, or even the time of the filing of the report of the Committee on Foreign Relations.

The potential gains for security and peace in the Middle East will now be greater, I am firmly convinced, with the approval of the sale than they would have been had it been disapproved. Our potential losses, on the other hand, would be greater if it were disapproved than if it is approved. I suggest this to that small handful of Members who are still undecided.

Finally, I wish to say that I believe that the lobbying on this question on both sides has been honorable and above reproach. The Senator from Minnesota and the Senator from Oregon have dealt with those who were with them, both conditionally and unconditionally, and with those who were opposed to them in the highest and most honorable possible fashion. The same thing is true of the lobbying of the President of the United States himself. This is because all have been concerned primarily with the interests of the United States and no other; it is because of that proposition that this issue has been so difficult to decide. But we must decide it. I hope that we have contributed to an affirmative decision.

I thank the Chair.

Mr. PELL. Mr. President, I wish to ask the Senator from Washington, did I hear correctly that he has put into the RECORD his copy or a copy of the letter that the group wrote to the President? Has he put into the RECORD the reply?

Mr. GORTON. The Senator from Indiana put into the RECORD the copy of the proposal which he and I made to the President of the United States at the time of his speech. I have put into the RECORD a copy of the reply.

Mr. PELL. So both letters are in the RECORD now?

Mr. GORTON. They are.

Mr. PELL. And will be distributed to the membership?

Mr. GORTON. I am sure they will be.

Mr. PACKWOOD. Mr. President, on behalf of the distinguished Senator from Rhode Island, I yield 10 minutes to the distinguished Senator from Pennsylvania (Mr. SPECTER).

The PRESIDING OFFICER (Mr. HATCH). The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I rise today to speak in opposition to the proposed sale of AWACS and F-15 enhancement equipment to Saudi Arabia. I shall submit a detailed statement for the RECORD and ask unanimous consent that it be printed in the RECORD as if given in full.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. I shall summarize my views in the course of the 10 minutes which have been allotted to me.

In opposing the sale as proposed by President Reagan, I do so with reluc-

tance in light of the fine leadership the President has provided to the country in his 10 months in office and in light of the support I have given to him on his economic package. It is my judgment, however, that this sale is contrary to the best interests of the United States.

When the President invited Republican Senators to meet with him several weeks ago, I was very pleased when the President put an end to the issue of "Reagan or Begin" and when he said that he was disheartened to see that kind of issue raised. There was unanimous agreement among those present—some 43 Republican Senators, President Reagan, Secretary of State Haig, and National Security Adviser Allen—that the sole concern, the sole issue involved the best interests of the United States.

As I have analyzed that issue, it is my firm conclusion that the interests of our Nation would be best served by not selling the AWACS and the F-15 enhancement package to Saudi Arabia.

How best to promote peace in the Middle East can best be achieved, in my view, through the Camp David accords. Until the Saudis are prepared to embrace the principles of the Camp David accords and to support the United States on this cornerstone of United States-Mideast foreign policy, it is my judgment that they should not be rewarded with the AWACS and the F-15 enhancement package.

Similar concerns were at issue in 1978 regarding the proposed sale of the F-15 aircraft to the Saudis before that sale was approved. Largely the same arguments were raised: That if we accommodated the Saudis, there would be a greater likelihood of bringing them into the peace process in a realistic way. But the facts show that in the intervening 3 years, that likelihood has not materialized. Assurances were given to Congress in 1978 that there would be no enhancement package for the Saudi F-15's; yet, that is precisely what the administration is seeking to do at the present time.

In my view, before rewarding the Saudis with this sophisticated equipment, they need to make a commitment to the Mideast peace process, as supported by the United States. The Saudis have not done so.

Beyond the question of whether the sale would promote peace in the Middle East, there is also the issue of providing sufficient military assistance to defend the Mideast in the event of a Soviet incursion. On that issue, again, it is my view that selling the AWACS and the F-15 enhancement package to the Saudis would not significantly enhance the Saudis' ability to defend themselves against Soviet aggression. Any defense of Saudi Arabia, as I view that picture, will have to be a defense by the United States. In my judgment, having such high-powered equipment in the hands of the Saudis, with the attendant risk of internal instability to whatever extent that may exist, promotes instability in the region and ultimately weakens the defensive ability of Mideast nations to repel Soviet aggression.

It may well be that the issue of the AWACS and the enhancement package

has come to be more a matter of symbolism than substance. President Reagan certainly has placed his prestige on the line, as has the Congress, regarding the issues which have arisen.

With respect to the issue of symbolism, I do not believe that we are rewarding our "good friend" Saudi Arabia with this sale. They simply have not been as supportive of U.S. policy as they should have been to justify rewarding them and to going to bat for them to the lengths that the administration has gone at the present time.

I do not consider Saudi Arabia a good friend when it comes to the gouging of oil prices and to our victimization by the OPEC nations. Because they gouged somewhat less than other OPEC nations does not make them a good friend, in my judgment, and does not qualify them for a reward.

As the vote nears on this important issue, we frequently hear the issue of needing to support the President. I do believe that the President's view carries enormous weight. But, similarly, the House and the Senate have a very vital function. We have seen in our lifetimes the phenomenon of the so-called "Imperial Presidency," and it is vital, from what we have learned in the course of the past decade, that there be an independent and reasoned judgment given by the U.S. Senate on an issue of such import.

Fifty-four of us had taken a position in an initial document to the President. Then 50 of us took a subsequent position on the resolution of disapproval. As our numbers have decreased in what I consider inexplicable ways, I am very concerned about the independence of this great institution and the independence we should bring to bear in saying to the administration whether or not the sale is, in our judgment, in the best interests of the United States. Once we have made our judgment, it is my sense that we should not retreat from that judgment when it is made on good and solid grounds, as it has been.

In my opinion, if this were an ordinary vote, without the extraordinary pressures being brought to bear by the administration, it would be a vote in the magnitude of 70 against the sale and perhaps 30 in favor of the sale. I have grave questions about this body abdicating the function of its independent judgment as is our obligation under the law.

I, for one, was notified of the President's intention to proceed with this sale in a letter dated August 24. Two days later, on August 26, I wrote to President Reagan, expressing as succinctly as I could—limiting it to two pages—my reasons for opposing the sale. Realizing the difficulty of transmitting letters to the White House, I sent separate cover letters to Mr. Haig, Mr. Allen, and Mr. Friedersdorf, enclosing my letter to the President.

I had received no reply by the time the August recess was over. On the first day back in session, on September 9, I asked for time on the floor, stated my reasons for opposing the sale, and included my letter to the President. As of that date, I had received no reply and, in fact, did

not receive a reply until last Friday, when I received a letter from Richard Fairbanks, Assistant Secretary of State for Congressional Relations, which did not respond to many details of my letter but responded to generalized congressional concerns.

I have sought briefings from the administration on substantive matters regarding the sale, attempting as best as I could to keep an open mind on the subject; but this letter from Mr. Fairbanks did not fully reply to the direct concerns I had raised.

It is my sense that if there was ever to be a dialog between the Senate and the administration on this issue, a sincere effort was made to open that dialog with that first document signed by some 54 of us in the Senate. After more than 50 Senators reached a judgment to oppose the sale, I believe the best interests of the United States would have been served by sticking to that position and exercising the independent judgment for which we were elected to the U.S. Senate.

When statements have been made that those of us in opposition to the sale are not doing a service to their Nation, I respond that we have an independent responsibility—

The PRESIDING OFFICER. The time allotted to the Senator from Pennsylvania has expired.

Mr. SPECTER. Mr. President, the substance of my comments has been fully expressed, and I shall stop in mid-sentence, leaving the remainder of the time for those to whom it is committed.

(The following is Senator SPECTER's prepared statement:)

● Mr. SPECTER. Mr. President, I have spoken out on several other occasions about my opposition to the sale of AWACS and F-15 enhancement equipment to Saudi Arabia. I regret that I must now rise again to restate that opposition.

This was one vote I had sincerely hoped I would not have to cast. As one who has supported the President on the bulk of his domestic economic program, I find it difficult to vote against his request on this major foreign policy decision. However, while I believe that a strong Executive is vital to insuring an effective U.S. foreign policy, I also believe that the Congress cannot be ignored in the formulation of that policy and in exercising its prerogatives over well-defined issues. U.S. laws are clear in this regard—the Congress may, by a two-House vote, veto any arms sale in excess of \$25 million. While that prerogative has never been exercised, it is one that should not be taken lightly—by either branch of government.

When the issue of this massive arms transfer to Saudi Arabia first arose, it became clear that such a sales package would meet substantial opposition in both the House and Senate. When 54 Senators wrote President Reagan in June to voice their opposition to the sale, it should have been clear there was substantial opposition within the Senate. When the administration submitted its prenotification request on August 24, 1981, I wrote to President Reagan by letter dated August 26, 1981, with separate

cover letters and copies to Secretary of State Alexander Haig, Assistant to the President for National Security Affairs Richard Allen, and Assistant to the President for Legislative Affairs Max Friedersdorf, urging the President to withdraw the request.

It would also note that I did not receive a response for almost 2 months. On October 22, Richard Fairbanks, Assistant Secretary of State for Congressional Relations replied. The letter provided general answers to general congressional concerns raised about the sale without specifically addressing items I raised in my letter. A copy of that letter follows for the RECORD:

U.S. SENATE,
Washington, D.C., August 26, 1981.
The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I respectfully urge you not to proceed with the proposed sale of the enhancement package, including the Airborne Warning and Control System (AWACS) aircraft, to the Royal Saudi Air Force.

After considerable study, it is my view that this sale would be contrary to the best interests of U.S. foreign policy, and the proposed sale would subject your Administration to a significant risk of Congressional rejection.

I was among many in the Senate who supported your Economic Recovery Program even though we had significant reservations. I supported your program because I felt it was very important to back your leadership notwithstanding significant problems with the budget cuts for my state, Pennsylvania, and my stated preference for tax cuts on a year-to-year time basis to measure their effects on inflation and economic recovery.

On the issue of AWACS and the F-15 enhancement equipment, it is my view that many of your supporters, enough to make up a majority of the Congress, will not be able to support your position. I joined 53 other Senators in writing to you on June 24, 1981, urging that you not proceed with such a proposed sale to Saudi Arabia in the hope that this issue would not be brought to a vote.

While I join many others in the Senate and House in according great weight to your leadership, I strongly disagree with this proposed sale both on the merits and on my concern that a potential loss on this issue by your Administration would have significant, collateral, undesirable consequences. The prospect of a divisive Senate battle over the issue can only damage Congressional/Executive relations, Republican Party unity, and hopes for a strengthened U.S. presence in a secure and stable Middle East.

While I understand the need to contain Soviet expansionism and secure the Saudi oil fields, I fear that the proposed sale will create more long-run problems than may be resolved in the short term by acceding to this request. Rather than enhance Saudi Arabian security, the sale of such sophisticated equipment may well increase Saudi political instability and the risks of Saudi involvement in regional conflicts. It is clear that, once the AWACS planes are given over to Saudi Arabia, the United States would have little control over them, including their use against Israel, thus altering the military balance in that region.

While no one can predict Saudi Arabia's future political stability, sufficient doubts have legitimately been raised about that issue to fear the compromise of one of America's most sophisticated aircraft once it falls into Saudi hands, notwithstanding the most elaborate security precautions.

I am also deeply troubled by the long-range implications on the pledge made to the Congress in 1978 not to sell F-15 enhancement equipment to Saudi Arabia. If such pledges are subject to modification or cancellation on the contention of changing circumstances, how can the Congress ever agree to a proposal, conditioned on such a pledge?

Almost all the objectives outlined to justify the sale of AWACS could be met by leaving the planes in U.S. hands. The true test of the United States as a reliable ally is in our ability to be honest with our friends about their real military needs, not by agreeing to a request of questionable military necessity and uncertain political ramifications. When our Nation's reliability as an ally is tested in international relations, it is my view that we fall far short in subjecting Israel to the risks proposed by these powerful weapons in the context of repeated hostility by Saudi Arabia towards Israel.

I am taking liberty of sending copies of this letter to Secretary of State Haig, Assistant to the President for National Security Affairs Allen and Assistant to the President for Legislative Affairs Friedersdorf so that they will also know the depth of my feeling on this subject.

With best wishes,
Sincerely,

ARLEN SPECTER.

On September 9, 1981, I made a statement on the Senate floor in which I reiterated the concerns expressed in the letter "that the best interests of the United States will be served by abandoning that sale on its merits."

Like most of my colleagues, I have given this issue a great deal of thought and attention in recent months. I have carefully heard the arguments put forth by proponents and opponents of the sale. I have met with representatives of the administration, including those from the State Department, the Defense Department, and the National Security Council. I have tried to keep an open mind on the issue.

My decision was based on one sole consideration—is this sale in the best national interests of the United States?

After extensive study, discussions, debate, and review, I have come to the studied conclusion that this sales package—the largest arms transfer in U.S. history—would not advance U.S. national interests and would, in fact, severely hamper those interests.

No one will dispute the fact that U.S. interests in the Middle East center on achieving peace, security, and stability in the region. It is my belief that transferring these weapons to a nation like Saudi Arabia will act to thwart these very goals we seek.

By focusing on the special United States-Saudi relationship and attempts to achieve a strategic consensus in the region, the administration has already moved a step away from the best hope for a Middle East peace—the Camp David accords and the now-reinstated autonomy talks between Egypt and Israel. The fact is that there is no such strategic consensus in the region—nor is there much hope for achieving one. To think that a consensus on any issue can be reached among the varied Arab states because the United States declares one underscores an attitude at variance with centuries of Middle East history.

In my discussions with Under Secretary of State James Buckley, I was struck by the overemphasis this concept has placed on U.S. policy. Mr. Buckley noted that U.S. policy centers on identifying U.S. friends in areas of strategic importance threatened by Soviet expansionism and providing those nations with the arms they need to counter the Soviet threat and that posed by other hostile forces in the region. Such a policy might work if nations operated in a vacuum, divorced from history and regional conflicts. The world is not that simple, however; and the Middle East is even less simple.

Saudi Arabia has already made clear that it feels that Israel, and not the Soviet Union, is its primary enemy. Saudi Arabia has already declared its firm opposition to the cornerstone of U.S. Middle East peace policies—the Camp David accords. Saudi Arabia has already stated its opposition to the existence of the state of Israel and its determination to wage a "holy war" to "liberate" the occupied territories. Saudi Arabia has already increased its support for the Palestine Liberation Organization and its terrorist activities throughout the world.

Will granting the Saudi request for AWACS and F-15 enhancement equipment then increase the chances for peace in the Middle East? Will it moderate Saudi Arabia's consistent efforts to obstruct the peace process?

I submit that it will not. Similar hopes were raised following the 1978 decision to sell F-15 aircraft to Saudi Arabia, yet those hopes were never realized. They were never realized because Saudi Arabia, like all sovereign nations, acts on the basis of its perceived national interests.

Participating in substantive negotiations with Israel toward a long-standing peace in the region is now clearly not a perceived Saudi national interest. Even the eight-point peace plan recently submitted by the Saudis is nothing more than a reiteration of previous U.N.-passed resolutions. No arms sale, of whatever magnitude or import, will alter that perception; nor will the rejection of such a sale hinder the Saudis from participating in negotiations if they felt it would advance their interests in the region.

What approval of such a sale would affect, however, is Israel's confidence in the reliability of the United States as a protector and guarantor of Israeli security—a vital consideration in any hopes of achieving progress in the Palestinian autonomy negotiations. Those negotiations must be the primary focus of United States-Middle East policies for they offer the most promising hopes of achieving a long-lasting peace in the region. This sale would do little to advance that peace process and could do a great deal to hinder it.

A principal concern regarding the sales package is whether it will, in fact, advance U.S. interests in securing the oilfields and oil routes of the Persian Gulf. The administration has argued that Saudi Arabia needs the F-15 enhancement equipment and the AWACS aircraft to protect its oilfields against Soviet or other hostile forces and that the United States needs that equipment

in Saudi Arabia for use by U.S. forces in future regional conflicts. The historical record points to serious flaws in such an approach.

As I noted before, Saudi Arabia has frequently stated its need for armaments to defend itself against its primary enemy, Israel, not the Soviet Union. It is difficult to see how the Saudi Armed Forces, now numbering 100,000 men of dubious fighting capability, could serve as a serious deterrent to any major hostile force, even if Saudi Arabia is supplied with the most sophisticated of Western equipment.

Clearly, only the presence of U.S. and NATO forces in the region can effectively deter any future Soviet actions or the security of the region itself. Yet, Saudi Arabia has actively and vocally opposed any Western attempts to secure a military presence in the region. Saudi Arabia has never publicly condemned Soviet treaties with nations such as Iraq and Syria, which grant the Soviets military facilities in their countries; yet, it has actively worked to discourage nations such as Egypt and Oman from granting similar facilities to the United States.

The Saudi delegation to a May 1980, meeting of the Gulf Cooperation Council severely criticized the Oman's for granting the U.S. military facilities in Oman and affirmed "their absolute rejection of foreign interference in the region from any source."

It is, therefore, difficult to envision on what grounds Saudi Arabia is viewed as the linchpin of U.S. military efforts to defend the security of the Persian Gulf and its oilfields. Unwilling to accept U.S. military cooperation, yet unable ultimately to defend itself from outside aggression, Saudi Arabia is a questionable partner in a strategy to defend vital American interests in the Middle East.

Much the same policy was attempted under President Nixon when Iran was viewed as the bulwark of Western defenses in the region. Little attention was paid to the effect such close cooperation with the United States and such massive arms expenditures would have on the Shah and his position within Iran. We should have learned a lesson from those mistakes; but I have yet to see an assessment from this administration as to what effect this, and other substantial Western arms sales, would have on the stability of the present Saudi Government.

For fiscal year 1982, the Saudis plan to spend over \$30 billion for defense—a figure six times the per capita rate of the Reagan U.S. defense budget. However stable Saudi Arabia may now be, such massive arms expenditures in a country of less than 4 million citizens, with approximately 2 million foreign workers, cannot but affect the internal position of the present Saudi monarchy.

As Stansfield Turner noted in an April 23 article in the Washington Post:

It would be irresponsible for us to help them (Saudi Arabia) defeat a sophisticated air threat, for which the AWACS was designed and which has a low probability of occurring, when they are incapable of handling the more elementary threats of insurrection and guerrilla warfare that are highly probable.

Another issue to which I have addressed my questions is whether the proposed sale will help the stability of both Saudi Arabia and of the region as a whole. Rather than enhance Saudi Arabian security, the sale of such sophisticated equipment may well do the opposite—increase Saudi political instability and the risks of Saudi involvement in regional conflicts.

The Middle East is already becoming the repository of the most sophisticated equipment in the world. By helping to arm an array of Middle Eastern nations, the West is helping to create an arms tinderbox that stands ready to explode at the slightest provocation. The arms package the administration is proposing can only act to add further instability to this already destabilizing situation.

By pumping increasingly sophisticated weaponry into the Middle East, the United States also risks pumping up the dangers of war in the region. A sale of this magnitude inevitably brings with it a reaction and a demand for similar equipment by other nations in the area.

Legitimate questions have also been raised about how stable the other Gulf states—historically the objects of Saudi aggression—will feel if the sales package is approved. Oman, the only Arab nation to have endorsed the Camp David accords and to have granted the U.S. military facilities on its territory, has good historical reasons to fear Saudi intentions—and U.S. reliability as a friend and ally in so heavily arming the Saudis.

These concerns, Mr. President, have guided my decision to oppose the sales package. Other factors are also involved, such as the legitimate fear of possible compromise of one of America's most sophisticated aircraft and most sophisticated missiles. These concerns have been addressed in detail by several of my colleagues.

What is most troubling about the proposal, as I have attempted to outline, is the premises upon which it is made, namely that it will help advance U.S. interests in the Middle East and in the world. Peace, security, and stability would not, in my view, be enhanced by proceeding with the sale; nor would those goals be hindered by rejecting the sale. Saudi Arabia has been and will remain an important nation to U.S. interests in the region, just as the United States will continue to remain important to Saudi Arabia's interests in the region.

Acceding to every questionable military request of a friendly nation, however, is no answer to being a true and constant friend of that nation. The true test of the United States as a reliable ally is in our ability to be honest with our friends about their real military needs and about our own real military and political needs. I question whether that honesty has ever existed in the United States-Saudi relationship.

Critical issues remain outstanding on the Middle East agenda. Peace in the area has never been so close, yet so far. The United States must act rapidly to reestablish our central role in the peace-making process and focus our priorities on achieving the long-lasting peace, security, and stability that must be the

cornerstone of United States-Middle East policies.●

Mr. PACKWOOD. Mr. President, again on behalf of the distinguished Senator from Rhode Island I yield no more than 10 minutes to the Senator from Missouri (Mr. DANFORTH).

Mr. DANFORTH. Mr. President, with firm conviction I oppose the sale of AWACS and F-15 offensive attachments by the United States to Saudi Arabia. My conviction is supported by three arguments.

First, to vote for this sale would flatly contradict the position taken by me during my 1976 campaign for the U.S. Senate.

Second, in recent years, Saudi Arabia has exhibited an increasing tendency to test the friendship of the United States by demanding more and more dangerous weapons from us rather than working toward the peace which is offered by the spirit of Camp David.

Third, possession by Saudi Arabia of yet more sophisticated equipment would increase pressure upon the Saudis from radical Arab elements to use such equipment against Israel in the event that hostilities in the volatile Middle East should resume.

Mr. President, my decision—first—is a matter of personal integrity. On June 8, 1976, I made a solemn promise to the people of Missouri that I would not support military sales by the United States to Israel's enemies in the Middle East. A vote for this sale would flatly contradict that promise. However, it is equally clear that changing conditions would require flexibility on my part. I have examined the facts to see if changed conditions compel a change in my position. I have concluded that they do not.

The most difficult vote I have cast in the Senate was in favor of the 1978 Mideast arms sale of 62 F-15's to Saudi Arabia, apparently contrary to my commitment of 1976. Yet the rationale for that sale involved a decision to embrace the lesser of two evils. If the United States declined to sell the F-15's to the Saudis, the French would sell them the Mirage, with additional offensive attachments such as bomb racks and long-range fuel tanks.

The sale of F-15's then, with limitations on offensive attachments, was the better of the available alternatives. It offered the best chance of containing the offensive capability of Saudi Arabia. This rationale was reinforced by the Carter administration and by the Saudi Royal Family itself. In April, 1978, the Saudi ambassador and a member of the Saudi Royal Family came to my office to stress that their country's purchase of F-15's was for defensive purposes only and that they had no interest in acquiring additional offensive weapons.

In May, 1978, Defense Secretary Brown, Secretary of State Vance, and President Carter gave similar assurances to the Congress by making it clear that the United States had no intention—then or in the future—of providing the Saudis with AWACS or offensive attachments for the F-15.

Today, the argument that the English are only too willing to sell their Nimrod

system as a substitute for the American AWACS misses the point. Radar systems, of and by themselves, are neither destabilizing nor threatening. It is their coupling to the F-15, retrofitted with long-range fuel tanks and the most sophisticated missiles in America's arsenal which is so destabilizing. The sale we are considering today involves not only AWACS but also the offensive attachments to the F-15.

At the time of the 1978 F-15 sale, that transaction was said to be a test of American friendship toward Saudi Arabia. Now, as the second test of friendship is being administered, the time has come to ask how well our friendship has been reciprocated. It is widely held that Saudi Arabia is a special friend of the United States. Indeed, the argument for the AWACS sale could only be founded on a unique friendship, because the United States permits no other country, not even within NATO, to fly AWACS under its exclusive control. Let us examine what has transpired since the F-15 sale in 1978.

The most significant occurrence since the last test of friendship was the Camp David accords. Furtherance of the peace process between Israel and Egypt has been the centerpiece of U.S. policy in the Middle East. In our efforts, we have hoped for support from other countries. But, when the details of the Camp David accords were known, Saudi Arabia became a moving force to suspend Egypt's membership in the Arab League, transfer the league's headquarters from Cairo to Tunis, boycott Egyptian companies doing business with Israel, and break diplomatic relations with Egypt.

The Saudis have been willing to finance the PLO, an organization which has refused to accept even Israel's right to exist, by pledging \$1 billion to its continued operations. They have resisted the development of an American military presence in the Arab peninsula in spite of Soviet presence in Syria and South Yemen. Not only has access to Saudi bases been rejected; when another ally, Oman, was prepared to help us, the Saudis undermined the discussions.

The death of Anwar Sadat was a major event in the Middle East. Yet it has not changed Saudi Arabia's opposition to the Camp David process. Indeed, it has made the Middle East a less stable place to receive sophisticated military equipment.

And the Saudis have supported their immoderate acts with even more immoderate rhetoric. They have called for a holy war to "cleanse Jerusalem of the Jews." They have characterized the hostage rescue mission in Iran as American military aggression. They have referred to terrorist activities of the PLO as one of the noblest phenomena in contemporary Arab history. The tragic Saudi association with terrorists was highlighted recently by their decision to provide sanctuary and a generous pension to Idi Amin.

With respect to oil, since 1978, the Saudis have permitted the price to increase 133 percent. Furthermore, if we continue to believe—in spite of the facts—that the Saudis are helping the United States to their detriment by keep-

ing production up and holding prices down, then we are missing an important point. Oil Minister Yamani has noted that the Saudi production strategy is designed to "hold back investors from searching (for) energy alternatives and until OPEC restores its previous position." When the last administration announced its intention to create a petroleum stockpile, the Saudis immediately threatened to cut off U.S. oil supplies.

Clearly, Saudi oil policy has been more moderate than the rest of OPEC, but one hardly can argue that it is even modestly sacrificial.

The United States cannot be expected to oblige each new Saudi demand for arms, only to be rewarded by unrelenting oil price hikes, orders of magnitude greater than the world inflation rate, and unrelenting hostility to the Mideast peace process.

President Reagan has stated that the United States should not allow another country to take over our foreign policy. Precisely so. The United States is a great country, and Americans are a proud people. We should never play a Stepin Fetchit routine for Saudi Arabia or anyone else. The notion that if only we do what they ask of us, they will be cooperative, has been very disappointing since 1978, and there is no reason to believe that it would improve in the future.

Notwithstanding the promises, made and broken since 1978, about the need to limit the introduction of weapons into Saudi Arabia for defensive purposes only; and notwithstanding Saudi Arabia's disappointing behavior since the 1978 sale; I believe there is an even more important reason for rejecting the current proposal.

The introduction of sophisticated offensive weapons into Saudi Arabia, under that regime's exclusive control, can only serve to destabilize an already precariously unstable region.

This new dimension of instability is double-edged. The presence of F-15 attack planes retrofitted with long-range fuel tanks and the most sophisticated guided missiles in America's arsenal, in combination with orbiting AWACS command posts, will inevitably make Saudi Arabia a prime Israeli target in the event of new hostilities between any Arab country and Israel.

The second element of instability is equally menacing to the region. The presence of such sophisticated and awesome offensive military power under the exclusive command of Saudi Arabia will make the Saudis the focus of intense pressure from the Arab world to prove their fidelity to the Arab cause and to join in a war against Israel.

These arms may well become a decisive factor in the minds of Arabs contemplating the advisability of future aggressive acts against Israel.

Mr. President, it is conceivable that by making this sale, the United States is inadvertently laying the foundation for the next war in the Middle East. At stake here is the future of Israel, the future of Saudi Arabia, and the future of the free world's stake in that region.

Mr. PACKWOOD. Mr. President, this is a unanimous-consent request. I have

checked with all the parties concerned, and I might say that Senator ROBERT C. BYRD, the minority leader, has indicated because this is a bipartisan matter he will not speak at the end of the debate.

I ask unanimous consent that the following order be observed as we approach the closing time of the debate: From 4:10 p.m. to 4:40 p.m., Senator PACKWOOD; from 4:40 p.m. to 4:45 p.m., Senator PELL; from 4:45 p.m. to 4:50 p.m., Senator PERCY; from 4:50 p.m. to 4:55 p.m., Senator CRANSTON; and from 4:55 p.m. to 5 p.m., Senator BAKER.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PERCY. Mr. President, I am happy to yield 30 minutes to the President pro tempore of the Senate, our distinguished colleague, Senator STROM THURMOND.

Mr. THURMOND. Mr. President, I wish to thank my able friend.

I rise to share with my colleagues my analysis of President Ronald Reagan's proposal to sell an air defense enhancement package to the Government of Saudi Arabia.

My conclusion, and that of the Senate Armed Services Committee, is to approve the President's proposal. I announced my support for this sale on September 17 and information which I have received since that time has reinforced my endorsement of this sale.

My support is based upon an exhaustive study by the Armed Services Committee, briefings by officials of the State and Defense Departments and consultations with President Reagan. I have also considered carefully arguments made in letters to me from my constituents and citizens from across the Nation.

The reasons I support this sale to Saudi Arabia can be outlined in three major points, but before discussing these points I shall elaborate on what I believe is the basic premise for this sale.

If the United States does not sell the AWACS and F-15's to Saudi Arabia, similar equipment can be bought by the Saudis elsewhere. If that happens, the United States would have no control over the Saudi's air defense forces. If the United States cooperates with Saudi Arabia we can exercise some control over this equipment and thereby help protect Israel. We will also enhance the security of Israel by becoming a confidential partner with a pro-Western Arab State, making it highly unlikely that this state would join in an attack on Israel and less likely that a radical force could overthrow the current, friendly Saudi Government. All of these conclusions persuade me this sale would protect, rather than endanger, Israel.

PACKAGE POSES LITTLE THREAT TO ISRAEL

Further, I am simply not convinced that 60 F-15's and 5 AWACS aircraft constitute a significant threat to Israel. The F-15's will be dispersed at three airbases, 20 each, each base a great distance from Israel's border. Only one AWACS aircraft will be aloft at any one time, and it is required to guard oilfields on the opposite side of Saudi Arabia from Israel. The more serious threat is the one facing Saudi Arabia in the form

of the Soviet Union and its nearby proxy states.

The equipment in the proposed sale amounts to a very limited air defense capability for Saudi Arabia. This is balanced by the fact that Israel possesses a large military force, including over 530 attack planes, to counter any Saudi threat.

Mr. President, now I shall discuss this sale in some detail. My study of this issue has brought me to the conclusion that this sale is:

First, in the national interest of the United States;

Second, in the national interest of Israel; and

Third, in the national interest of Saudi Arabia.

Today, I will discuss each of these points in detail. Additionally, I will address some of the objections that other Senators have propounded against the sale.

First, however, I want to set the stage for my remarks by describing the proposal and how it meets the defense needs of Saudi Arabia.

THE ARMS PACKAGE

The administration is proposing that we approve for sale to the Saudi Arabian Government the following pieces of equipment:

Five airborne radar warning system aircraft (AWACS);

A total of 101 sets of conformal fuel tanks to extend the range of the F-15 aircraft;

Six KC-707 aerial refueling tankers to refuel the AWACS and the F-15 planes in the air; and

A total of 1,177 AIM-9L Sidewinder air-to-air missiles to give the F-15's the capability to destroy attacking planes before visual contact has been made with these attackers.

In addition, the sale package contains provisions for ground support equipment, spares, and contractor support personnel for 3 years.

SAUDI DEFENSE NEEDS

Mr. President, Saudi Arabia has a unique need for this equipment. It has a vast territory to defend. Its wealth is centered in a small oilfield area. This nation is nearly surrounded by Soviet surrogate states. In Afghanistan, only 700 miles away, the Soviets themselves now have a base from which to launch an attack on, or threaten, the Saudi Government.

The huge Saudi land mass is equal to that of Europe or the land from the Mississippi River to the east coast. In length, it covers an area stretching from the Norwegian Sea to the Black Sea. In width, it covers a distance approximately equal to that between France and the Ukraine. In all directions, its borders face a highly potential threat. Its F-15's will operate from only 3 bases, whereas in Europe there are 20 military bases to defend an area of similar size.

Both the size of the area to be defended, and the limited Saudi resources establish the need, for aerial refueling and for conformal fuel tanks. For example, should the Dhahran Air Base be destroyed, then the aircraft operating

from the other two bases would spend 3 hours just in transit—1½ hours each way—to defend against a threat from the East. This would mean that their on-station time will be minimal without the range-extending conformal fuel tanks and without aerial refueling.

The low number of Saudi F-15 aircraft, and the fact that they are widely dispersed, dictates the need for a fast and effective response in the event of a conflict. This is the key reason why the AIM-9L Sidewinder missile is needed. It enables the F-15 to fire at the attacking planes head-on before they reach their attack area near the oilfields.

There is an obvious need for the Saudis to see the oncoming threat, and have the time to react, before any attackers could destroy the oilfields or other targets. The present Saudi ground-based radars cannot see low flying aircraft beyond the curvature of the Earth, which is 30 to 40 miles, and which translates into no more than 2 to 3 minutes of flying time for modern aircraft. Since it takes about 5 minutes to scramble the F-15's, without AWACS, the threatening aircraft could only be intercepted several minutes after they have destroyed the oilfields. With the AWACS at a 29,000 feet altitude, the Saudis will be able to see 200 miles away. This gives them a warning time of 15 minutes—a sufficient time for scrambling and intercepting enemy aircraft before they get to the oilfields or other targets.

ONLY ONE AWACS ALOFT

For a nation to provide a round-the-clock warning capability, five AWACS aircraft are needed. Only one AWACS would be aloft at any given time, with the other four operating in a shuttle role to relieve the single plane constantly on patrol.

Mr. President, now that I have briefly discussed the administration's proposal, and how it is carefully tailored to meet the specific Saudi air defense requirements, I would like to discuss each of my three major points.

First, why is the support of the sale in our own vital national security interests?

I. SALE IS IN THE NATIONAL INTERESTS OF THE UNITED STATES

The equipment will protect U.S. oil supply.

It is in our national interest to encourage the protection of Saudi oilfields. Let me put in perspective their strategic significance.

These fields are especially vulnerable to attack since they are concentrated in one 40-mile stretch on the Persian Gulf. Should they be destroyed, it would require at least 2 years to restore them to full production. It is undeniably clear that their destruction would have a devastating effect not only on the U.S. economy, but also on the economy of the Free World.

These fields currently provide about 63 percent of the oil production in the Persian Gulf; 23 percent of U.S. oil imports, and about 50 percent of the oil imports of Western Europe come from that single area.

Future base for U.S. military equipment.

This sale is also in our national interest because it gives us access in that region to prepositioned parts, facilities, support equipment and support personnel for our own AWACS or F-15's. This prepositioning is an inherent part of the Saudi air defense enhancement package. U.S. access to such support facilities will be critical to the success of our rapid deployment force if it has to be used in the Middle East. This prepositioning is also essential to an expanded U.S. military presence, not only in the Persian Gulf area, but also in that area as a whole.

Deployment of the equipment will assist United States.

Under the conditions of this sale, the Saudi AWACS information will be available to U.S. forces on an immediate basis at no cost. In a crisis situation, the ability of our forces to obtain and assimilate early threat information will be greatly enhanced. This increases the ability of our forces, if necessary, to react rapidly and with precision.

This is possible because we can exchange information between the Saudi AWACS, U.S. Naval AWACS-type aircraft, and U.S. forces on the ground.

In addition, the Saudi air defense enhancement package will provide an initial air defense umbrella for the area, which would be compatible with our own. This would make any allied or U.S. deployment in that area less costly, not only in equipment and materiel, but also, and more importantly, in lives.

Sale strengthens the U.S. role in the Mideast peace process.

This sale is also in our national interest because it means an expanded U.S. presence in working for peace in the Middle East.

While the Government of Israel may view the sale as contrary to their interests, they must accept the fact that failure of the United States to aid other pro-West governments in the area would seriously impair chances for stability in the Middle East.

The absence of support in the Arab world for the Camp David accords indicates that to achieve a more secure peace in the area, we must cooperate with the few Arab States which have pro-West leanings. I am convinced the serious results of repudiation of this sale will significantly hinder the peace process. The key benefactor of that process is the State of Israel. Israel needs a renewed peace effort now because of the tragic murder of President Anwar Sadat, an act which seriously interrupts the peace process in the Middle East.

The dependence of Saudi Arabia on the United States as a supplier of defense equipment also enhances our influence there. The Saudis have recently demonstrated their support of the administration by exercising leverage over the Palestinians in southern Lebanon to bring about a cessation of hostilities between the Palestinians and Israel. The exercise of that leverage is one indication of the Saudi desire to move toward a lasting peace in the Middle East.

It is essential that we enhance this Saudi posture by supporting their defense needs. The combination of our

special relationship with Israel and our enhanced relationship with Saudi Arabia will give the United States more leverage toward finding a peaceful solution to the difficult Middle East problem.

We should support the President in foreign policy matters.

Mr. President, the Senate must remember that arms sales are a tool of foreign policy. It is in our national interest to support the President whenever possible in the conduct of foreign policy. A Senate veto of this sale would undermine his ability to effectively conduct foreign affairs at a time when the Nation needs a strengthened posture in the community of nations.

Mr. President, as chairman of the Senate Committee on the Judiciary, I feel compelled to raise the possibility of a constitutional challenge to the disapproval of the AWACS sale by the Senate.

The Supreme Court has never formally ruled on the constitutional nature of congressional actions to negate executive branch actions. The ninth circuit has ruled in two cases, *Atkins v. United States*, 556 F. 2d 1028 (1977) and *Chadha v. Immigration and Naturalization Service*, 634 F. 2d 406 (9th Cir. 1980), reaching different results on congressional power. The issue raised in the Chadha case was whether the Separation of Powers Clause was violated by a legislative veto provision that clearly intrudes into the executive branch provisions of the Constitution. In that case the court upheld the powers of the executive branch.

Since 1974, the Senate has had the authority to veto non-NATO arms sales, but it has yet to exercise that authority. Certainly, Executive agreements that do not rise to the level of a treaty, like the Panama Canal Treaties, may face constitutional challenge where there is no legislative participation in them. On the other hand, a veto of this sale by Congress could be tested by the President should he go forward with the sale despite the veto. This development is certainly possible in view of the fact that the Saudi sale is intimately intertwined with overall U.S. foreign policy in the Middle East.

The sale will benefit the U.S. industrial base.

While the monetary benefits of this sale are not of primary importance, this sale will have a significant beneficial impact on the U.S. work force.

The direct impact is not only the \$8.5 billion in sales over the next 3 years, but also the several billion dollars annually in support services to be provided well into the 1990's.

It is also worthwhile to ponder the indirect financial impact of this sale. Approval of this sale will bolster the business partnership we have with Saudi Arabia in many other fields. This relationship now amounts to \$36 billion annually in business for American contractors in Saudi Arabia. In addition, the Saudis reinvest annually, from oil revenues, about \$70 billion in the Western economy.

Again, while it is not the primary consideration, I would point out that disap-

proval of this sale could have an adverse impact on our business relationship with Saudi Arabia.

Mr. President, to summarize my first point, I believe this sale is in the United States national interest because it enhances the peace process in the Mideast. It protects our vital oil interest. It gives the United States a prepositioned military supply source, which can be easily integrated with U.S. military equipment during the deployment of any U.S. forces. Such a sale strengthens the hand of the President in the conduct of foreign policy. The sale would help expand the U.S. industrial base and create jobs.

II. THE SALE IS IN ISRAEL'S INTEREST

This sale will insure a pro-Israel presence in Saudi Arabia.

First, as I mentioned earlier, the purchase of U.S. equipment, with U.S. support strings attached, would enable us to protect Israel. Israel's interests will be served if the United States can exercise control over supply and support lines and if there is an American presence to discourage misuse of these aircraft.

If the Senate vetoes this sale, the Saudis will likely turn to the British Nimrod air defense warning plane and to the French Mirage fighter for their air defense needs. If that happens the United States will have no control over this equipment, and presence of the United States to serve as a protection for Israel will be eliminated.

The Senate should also know that the Nimrod includes technology developed through 1978, while the AWACS technology was frozen in 1972 in order to get the aircraft into production. While the Nimrod is less capable than AWACS as an air defense platform, it can see some ground targets and has an intelligence gathering capability. These two features give Nimrod a limited offensive capability, while the AWACS is essentially a defensive system.

The sale will promote stability in Saudi Arabia.

This sale is also in Israel's national interest because it enhances stability in the Middle East. Saudi Arabia has been a stable country for a very long time. The Saudis have been rulers of that country since the First World War. Transitions in leadership have been smooth as a result of the Saudi consultative process with royal councils.

In a recent letter to me from former U.S. Ambassador to Saudi Arabia, Robert Neumann, he describes Saudi Arabia as "one of the most stable countries in the Middle East." He believes the reason for this stability is the Saudi form of government. I would like to quote from his letter:

Saudi stability is the result of a unique system of government. It is not run by an overpowering personality like the late Shah of Iran or the late President Sadat of Egypt. In contrast to those and all other countries in the region, Saudi Arabia's system of government is one of checks and balances. It rests on a never-ending process of give and take among the princes, between them and the leading technocrats, businessmen and tribal leaders. Its continuation is not dependent on any one person. Even so strong a leader as the late King Faisal could be replaced by an orderly succession.

Most important in this time of Islamic fundamentalism is the fact, often overlooked, that Saudi Arabia is a fundamentalist state whose very conservative Islamic mores are controlled by the religious leaders, the ulema. In contrast to Iran, these religious leaders do not constitute an outside, revolutionary force; they are very much a part of the Saudi system. In return, they keep out of politics—a part of the above-mentioned checks and balances.

Another recent U.S. Ambassador to Saudi Arabia, former Governor John West of South Carolina, has stated that if the sale is blocked:

It will first of all take away the incentive of the will of the Saudis to continue, at some risk to themselves, to promote the American positions. And secondly it will take away their credibility—make them look like fools.

Mr. President, this sale will improve prospects for continued stability in Saudi Arabia. It will enhance the Saudi role in the peace process, and could hasten its involvement in a more active and positive manner. This would have obvious benefits for Israel.

Sales like this encourages pro-West Arabs.

Mr. President, I recall there was concern in Israel when President Sadat turned to the United States for military aid after the Arab-Israeli war of October, 1973. Although some opposed military aid to Egypt, our alliance with Egypt led to the Camp David accords.

Thus, I believe that a closer military alliance with Saudi Arabia would be in Israel's national interests, because it would enable the United States to influence the Saudis in achieving stability in the Middle East.

At some point in the peace process we must have Arab friends who can speak to the Arab States which are strongly anti-Israel. Saudi support and influence with some of these States could be used to bring about new efforts toward a lasting peace. The Saudis showed this capability, to moderate the views of other Arabs, during 1976 Riyadh Conference and more recently in Lebanon.

Today the outcome of the Senate debate on the Saudi air defense sale is being watched with considerable interest in the Arab world, not only by the pro-West States but also by the radical states.

Approval of this sale will send a positive message to the pro-Western States. Disapproval of the sale will leave these would-be friends empty handed and will give the radicals a victory. That would not be in Israel's national interest.

Therefore, Mr. President, I believe that this sale is in Israel's interest for many reasons. Purchase of U.S. equipment by the Saudis protects Israel because it allows some U.S. control over the use of this equipment. Israel's security is further enhanced by a stable, pro-West government in Saudi Arabia, which could influence radical Arab States toward peace with Israel.

III. THE SALE IS IN SAUDI INTEREST

The Saudis' national interest is served by providing them with a capability to protect their oil fields and cities.

Sale meets Saudi defense needs:

Mr. President, the Saudis feel the Soviet threat very keenly. They see on their

northern border a Soviet-supported Iraq. To the south the Soviets, Cubans, and East Germans are active in support of the Governments of South Yemen and Ethiopia. To the east stands Iran, a turbulent state at present, but one which could eventually pose a threat to the moderate Saudis.

This sale serves the national interest of Saudi Arabia by giving that country a needed capability to offer some resistance if attacked. Of course, the principal threat is to the oil fields which are open to attack by the aircraft of the Soviet Union, Iraq, and Iran.

The sale promotes alliance with a strong military ally.

This sale also serves the national interests of the Saudis by bringing that nation into a closer partnership with the United States, a powerful military ally. President Reagan just recently made it clear that an attack on the Saudis would be viewed by the United States in only the gravest terms.

The Saudis need to have a reaffirmation of their already significant alliance with the United States. This relationship embraces billions of dollars in construction activities throughout their economy. Their friendship with the United States is viewed with great suspicion in the Arab world, and it would be a serious blow to their standing in the Arab world if this friendship is repudiated by rejection of this sale.

Mr. President, these three points—that this sale is in the national interests of all the parties concerned—the United States, Israel and Saudi Arabia—is the basis of my decision to support the President in this matter.

Prior to concluding my remarks, I would like to address briefly some of the arguments used by opponents of the sale.

It appears to me that the chief arguments against the sale are as follows:

First. It constitutes a threat to Israel; Second. It repudiates earlier policy assurances; and

Third. It could compromise the security of military technology.

Regarding the contention that the sale constitutes a threat to Israel, I would comment:

AWACS is so complex that data links and other interfaces with Arab nations for a coordinated attack could not be achieved in the absence of U.S. equipment in those Arab nations;

Israel is fully capable of jamming the AWACS or shooting it down should the system be deployed against Israel;

The limited number of F-15's and AWACS planes being sold are not sufficient for an offensive campaign; and

U.S. involvement in the AWACS and F-15 operations could be used to restrain any effective use of the systems against Israel.

The second argument raised by opponents is that the sale repudiates previous promises that these enhancements would not be sold to Saudi Arabia. In response to this, I would offer the following:

Even those who opposed the original sale during the Carter administration argued at that time that promises of

one administration could not bind a future administration.

Events in the Middle East have drastically changed the situation—Iran has become an anti-U.S. state; Iran and Iraq are engaged in a war; threats to the oil fields have dramatically increased; the Soviets are in Afghanistan; Iran and Iraq have attacked each other's oilfields; the Soviet presence in the area has increased in South Yemen and Ethiopia; and, finally, our friend, President Sadat, has been murdered.

Mr. President, should the U.S. policy be so rigid as to adhere to assurances that were given under conditions which are no longer valid? Should we adhere to a policy even though such adherence is no longer in our national interest? I feel that U.S. policy must be flexible enough to accommodate the significant changes that have taken place in the Middle East.

The third argument of opponents is that by the sale of these advanced military systems to the Saudis, our Nation would take an unacceptable risk of losing valuable military technology to an enemy.

Mr. President, the possibility that some anti-American force could obtain advanced military technology has always concerned me greatly. However, I feel that the risk of losing such technology in this case is offset by the following:

The Defense Department has testified that the AWACS technology dates back to 1972 and is likely to be less valuable in the late 1980's or when the sale is completed;

It is believed the Soviets have under development their own flying radar or AWACS plane and its equipment will be in production soon; and

We have negotiated a number of security safeguards in this sale such as U.S. approval of security plans, U.S. inspections, no flights outside the borders of Saudi Arabia, and no third country access.

Mr. President, all of these facts have convinced me that voting for this sale is the correct way to vote.

At this point, I would like to add a comment about Israel and my concern for its security. The security of the State of Israel has always been of great interest to me. My record shows that I take very seriously the need for the United States to be generous and unyielding in its support of this small, courageous nation which is situated in a sea of hostile neighbors. However, I am convinced that this sale is not only in our national interest, but also in the interest of Israel. Approval of this sale could lead to real progress toward bringing a lasting peace to this area, as our military cooperation with Egypt has shown.

Movement toward peace is urgently needed because of the new threats that have materialized in this area. The newly gained Soviet military power is being used to further expand the Soviet sphere of control in the Middle East. The Soviet invasion of Afghanistan, its presence in South Yemen, Syria and Libya, and its support of groups in Lebanon needs a clear response. At a minimum, we must provide a pro-Western country like Saudi Arabia with the ability to defend itself,

especially when its territory so vitally impacts on the safety of our Nation and our allies.

Mr. President, I urge my colleagues who still oppose this sale to make one final review of this issue. The President of the United States needs their support in formulating a strong international posture for the United States. The President deserves their support. All of our Presidents of the last decade support this sale to Saudi Arabia. I urge the Senate to support it as well, in the interest of this country and of our allies, Israel and Saudi Arabia.

Mr. President, I wish now to take a few moments of my time allotted to me. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 12 minutes remaining.

Mr. PELL. Mr. President, at this time I yield 10 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Thank you, Mr. President.

OPPOSITION TO ARMS PACKAGE FOR SAUDI ARABIA

Mr. KENNEDY. Mr. President, in my judgment, the proposed Saudi arms package is one of the most dangerous arms sales ever proposed by any administration to the Congress.

It will fuel a costly and dangerous arms race in the Middle East that will increase, not decrease, the likelihood of war.

It will introduce sophisticated military technology into one of the most volatile regions in the world. That technology includes some of our most sensitive military secrets, which should not under any circumstances fall into the hands of enemies of the United States.

It will endanger the security of Israel, a stable and democratic ally.

And, it will fail to address the real security needs of Saudi Arabia.

Above all else, this arms sale is a national security issue. Democrats and Republicans, conservatives and liberals, have joined in opposing this sale, because it contradicts the fundamental interest of the United States.

In 1978, I voted against a previous arms package for the Middle East, even though it was proposed by a President of my own party. I have opposed the present package since it was first suggested at the beginning of this year. And I am proud to be a sponsor of the companion Senate resolution of disapproval.

The pending arms sales proposal offers Saudi Arabia \$8.5 billion in AWACS planes, AIM-9L missiles, fuel tankers and aerial refueling capabilities. I do not understand how any Senator who opposed the 1978 sale of F-15 fighter aircraft can justify voting for the arms package presently before us. How can the opponents of that sale in 1978 now vote in 1981 to equip those F-15's with 1,177 of the most advanced and deadly missiles in our stockpile? How can the opponents in 1978 now vote for new equipment to extend the range and flight time of the F-15's by 70 to 80 percent? How can the opponents in 1978 now vote to provide five airborne command and control platforms, capable of directing

the F-15's in possible assaults against Israel, our most important ally in the Middle East?

Some argue that circumstances have changed since 1978, and that the Soviet invasion of Afghanistan, the Soviet arming of radical Arab States near Saudi Arabia, and the Iran-Iraq war justify this unprecedented arms transfer to Saudi Arabia.

These new circumstances may justify the supply of defensive arms and communications equipment to Saudi Arabia, such as antitank and antiaircraft weapons and advanced radar. They may justify the deployment of AWACS aircraft under U.S. control, but they do not justify the supply of offensive arms and the potential compromise of sensitive military technology reflected in this sale. That can only lead to a new arms race in the Middle East that will jeopardize the basic American interest in peace and stability in the region.

Because the 1978 arms sale to Saudi Arabia generated so much concern, the Carter administration gave the Congress its written assurance that it would draw the line there—and that it would never increase the offensive capabilities of the Saudi F-15's.

Now the Reagan administration is asking the Congress to repudiate the solemn assurance of the U.S. Government. It is asking the Congress to take this extraordinary step, because of a unilateral commitment made by the President to Saudi Arabia, without the knowledge or the consent of the legislative branch. The administration claims that its credibility is now at stake—but the reality is that the administration has violated the promises of its predecessor without the participation of Congress or the American people.

Now the administration is offering another round of assurances of its own. They say that the present arms package could not and would not be used by Saudi Arabia against the State of Israel, and that it will not be enhanced by more equipment in the future.

These assurances are unacceptable and unworthy of our consideration. The leadership of Saudi Arabia insists that its No. 1 enemy is Israel—not the Soviet Union, and not the Soviet Union's radical Arab surrogates. And the leadership of Saudi Arabia is fully capable of making future arms supplies as much a litmus test of Saudi-American relations as it did the arms package in 1978 and the current arms package in 1981.

The proponents of this mistaken sale claim that the planes will not be delivered until 1985, and that Congress, therefore, will have ample time to reconsider. But the lesson of the past is clear. When the time to deliver the AWACS in 1985 arrives, the likelihood is not that Congress will be asked to reject the delivery, but that we will be asked to sweeten the deal yet again—by selling even more fully-equipped and even more sophisticated AWACS to Saudi Arabia.

The Senate has a constitutional responsibility to advise and consent in important foreign policy issues. This responsibility transcends narrow loyalties to a President or to a special interest. This

responsibility requires every Senator to do what is in the security interest of our Nation. Failure of the Senate to carry out this responsibility poses a much greater danger to the future of our country than any danger inherent in repudiating the President on this issue. So let us carry out our responsibility, and debate the issue on its merits. In this fashion, we can assure the American people that we are pursuing a policy in the highest interests of our country.

This arms package offers some of America's most sophisticated and sensitive military equipment to Saudi Arabia. It is a giant leap in technology for the Saudis. It is not a minor enhancement of existing technology, as some would like the American people to believe.

The AWACS planes in the package are among the most advanced aircraft in the American arsenal. In 1976 testimony before the Senate Appropriations Committee, the current chairman of the Joint Chiefs of Staff, Gen. David Jones, testified that—

AWACS offers the greatest single quantum jump in command and control capability since the development of radar.

AWACS is capable of both detecting enemy forces and directing aircraft to engage with the enemy. Yet, in presenting this arms package to the Congress, the administration has attempted to minimize the breakthrough that AWACS represents. But there can be no doubt of its capability, especially its capability for offensive purposes.

We share the administration's concern over the Soviet military buildup. Yet the administration is supporting the transfer of AWACS technology into a highly volatile region of the world. If this technology falls into the hands of the Soviets, important American advantages in military technology would undoubtedly be compromised. Even worse, the administration is proposing to carry out this sale on terms which offer far less American control than the previous sales of AWACS to our NATO allies.

Mr. President, AWACS is not the only sensitive technology included in this arms package. The AIM-9L missile is also a highly advanced weapon which allows pilots to avoid time-consuming maneuvers to get behind their opponents in order to fire their missiles. Instead, it gives pilots the advantage of firing the missile head-on at hostile aircraft, or from any other direction.

In a letter to Representative THOMAS LANTOS, 12 U.S. Air Force F-15 pilots expressed their opposition to the sale of the AIM-9L missile to Saudi Arabia. They stated:

We do not want the technology of the AIM-9L to leak to the Soviets through lack of security in Saudi Arabia or through some closed door bargaining session. We, at the user level, can attest that the AIM-9L thrusts the American fighter pilot a very large step ahead in air combat over any other military force.

The lesson of Iran is clear. At the time of the revolution in Iran, the United States had already sold Iran F-14 fighters, Phoenix missiles, and Harpoon missiles. Fortunately, AWACS technology

was not scheduled for delivery into Iran until 1981.

Mr. President, I opposed that sale at that time as well.

Administration after administration assured the people of America and the world that Iran was an island of stability and a bulwark against Soviet power and Arab radicalism. Yet a revolution led by religious fanatics upset all their calculations and dealt American power a severe blow in the Persian Gulf region.

Today, we are being told that history will not repeat itself, and that Saudi Arabia is not Iran. In fact, President Reagan has assured the world that the United States will not permit Saudi Arabia to become another Iran. His spokesmen have contradicted each other as to whether this assurance extends to internal as well as external threats to the Saudi regime. They have failed to explain how the administration proposes to fulfill this assurance. They have failed to explain how a President of the United States will hold back the wave of Islamic fundamentalist revolution that could rush over Saudi Arabia. And, they have failed, once again, to consult Congress and our allies before engaging the honor and the prestige of the United States in an open-ended commitment to Reeh-Yahd.

Saudi Arabia is confronted with great challenges posed by rapid modernization in a traditional society. It faces threats to its security from both external and internal sources. According to former CIA Director Stansfield Turner:

The most likely threats to Saudi Arabia are internal disorder or rebellion and guerrilla warfare, encouraged and supported by its neighbors. It would be wishful thinking to believe that a nation in as great a state of flux as is Saudi Arabia today would not be subject to domestic unrest or subversion.

There is no question that Saudi Arabia also faces external threats from the Soviet Union and from its neighbors—South Yemen, Ethiopia, Iran, and Iraq.

I support military cooperation and supplies of defensive arms to meet the external threats, as well as other threats to U.S. interests in the Persian Gulf. A stable, secure, and pro-Western Saudi Arabia is in America's vital interest, and we and our allies must do what we can to protect Saudi Arabia from external aggression.

Mr. President, we must draw the line when it comes to the transfer of sophisticated, offensive military technology to Saudi Arabia. The dangers inherent in the transfer of such sensitive technology into the Middle East powder keg alone offer compelling reasons to oppose this arms package. It should also be opposed because it does not further America's interests in peace and stability in the Middle East.

The administration's support for this arms package is based on a number of false premises. First, the administration claims that it is pursuing a policy that will bring peace to the Middle East. If the administration truly wants peace in the Middle East, it should never have proposed the arms package. Saudi Arabia's fierce opposition to the Camp David accords does not serve the cause of peace in

the Middle East. Saudi Arabia's calls for a "holy war" against Israel do not serve the cause of peace in the Middle East. Saudi Arabia's breaking of diplomatic and aid relations with Egypt do not serve the cause of peace in the Middle East.

Second, the administration seems to believe that, somehow, more arms can buy or bribe the Arab States into a peace settlement with Israel. This was not true in 1978 and it is not true in 1981. More arms do not buy peace. More arms only serve to fuel an ever-widening arms race in the Middle East.

Third, the administration warns us that if Saudi Arabia cannot buy AWACS aircraft from America, it will buy Nimrod aircraft from Great Britain. But Great Britain should reach the same conclusion on the sale as the United States. No true ally of the United States should risk a sale that could jeopardize peace and security in the Middle East. Nor should the possibility of wrong decisions by others be used to justify wrong decisions of our own.

Fourth, the administration claims that it is pursuing an antiterrorist strategy. If the administration truly wants to combat terrorism, it should not sell offensive arms to Saudi Arabia, which spends nearly \$400 million a year to finance the terrorism of the PLO.

Fifth, the administration claims that this arms sale will enhance America's interests in the Middle East. Our interest is in lasting peace and true security for Israel and for all states in that region. The best way for the United States to serve this interest is to vigorously pursue negotiations to end the Arab-Israel conflict, not to sell offensive arms to Saudi Arabia or to fuel an arms race in the region.

Let President Reagan and his Secretary of State and his Secretary of Defense explain to Congress and the American people: How does threatening the security of Israel—a stable and democratic ally—enhance American interests?

Our bonds with Israel are deeply rooted in moral commitment and common values, and they are founded on a realistic view of America's own security interests.

It is a fundamental fact that Israel is America's strongest and surest ally in the Middle East.

It is a fundamental fact that Israel deploys the most powerful armed forces in the region.

It is a fundamental fact that Israel has protected American interests in the past, and that Israel will do so in the future.

Clearly, Israel is the cornerstone of an effective policy to protect U.S. interests and to counter the Soviet Union and its surrogates.

By selling this arms package to Saudi Arabia, we are greatly increasing the risks of Saudi involvement in any future Arab-Israeli war. All of us hope and pray that such a war will never again take place, but, if war should come, Saudi Arabia would come under strong pressure from other Arab States to join in attacking Israel. I fail to see how putting Saudi Arabia in such a position enhances the security of Saudi Arabia or serves the interests of the United States.

Mr. President, this arms sale is bad for

the United States, bad for Israel, and bad for the cause of peace in the Middle East. It is the wrong sale at the wrong time in the wrong part of the world, and it should be rejected by the Senate.

Mr. President, I yield back the remainder of my time to the ranking minority member of the committee.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. PELL. Mr. President, I yield 5 minutes to the Senator from Oregon (Mr. HATFIELD).

Mr. HATFIELD. I thank the distinguished Senator. Mr. President, I rise today in opposition to the most recent effort by an American administration to secure peace in the world's most volatile region by injection of additional instruments of war. I do so wearily.

During the entirety of my public career, I have tried—with a notable lack of success—to do battle with a notion that seems to pervade questions of international policy in this modern age. It is a notion split deeply with a tragic flaw. The notion is that we, as a super-power, can somehow enhance the prospects for an enduring peace by arming nations and cultures with ever more sophisticated weapons of war. We are not the only nation of the world that embraces this notion, but because of our status as the world's largest peddler of arms, we have a special moral requirement to examine it. For the balance of my public career, I shall continue to do battle with this tendency to arm the world.

A sense of foreboding, of a deeper dread, compels me to raise my voice again, even in the climate of fear and frustration that has surrounded this issue.

THE HISTORY OF HUMAN CONFLICT

Mr. President, nothing is more constantly abused than humankind's interpretation of its own history. Depending on their immediate political needs, leaders throughout history have carefully selected small bits of history—like a piece on a patchwork quilt—to justify whatever political point needs to be made at the moment. One of the most pervasive and dangerous examples of the selective use and abuse of history is found in the widely-accepted phrase attributed to the Roman writer Flavius Vegetius Renatus: "Let him who desires peace prepare for war."

THE MYTH OF HISTORY

The Roman's thought, for some 2,000 years, has been a comforting phrase, surviving the rise and fall of empires. It is worth noting that this quote was made as the Roman Empire was moving into its final phase of destruction. This maxim allows nations and their leaders to justify unprecedented amounts of spending and preparation for war, and to conveniently do so in the name of peace. It is a concept that has for decades characterized the foreign and defense policies of this and other nations. At present, it is the engine driving the most staggering arms race in history.

Both the United States and the Soviet Union are presently guilty of unequivocal acceptance of this doctrine. It is at the foundation of both the United States and the Soviet Union's unceasing efforts to place in the hands of bel-

ligerents on both sides in the Middle East the most advanced technological instruments of war. The proposal before us to sell five Airborne Warning Control Systems (AWACS) aircraft, conformal fuel tanks for F-15 fighters, 1,117 advanced Sidewinder heat-seeking missiles, and aerial tankers to Saudi Arabia is simply the latest extension of a vapid, bankrupt doctrine that, throughout history, has consistently failed to secure peace. It is a doctrine in desperate need of a serious challenge.

If anything has proven a historic inevitability, it has been war and conflict; if anything has proved historically elusive, it has been peace. The "constant preparation" doctrine resulting in large-scale armament buildups triggers an escalating balance of military terror that finally demands release in war. It is an absurd and enormous historical myth to presume that constant and high-level preparation for war can occur without conflict inevitably following such emotional and political drum beating.

If we accept that constant arms buildups are inevitable, we predestine a future strewn with terror and war. This is a simple but unadulterated reflection of the sad history of human conflict. The accumulation of instrumentalities of war has, almost without variance, led to conflict and the fundamental reiteration of cultures and civilizations. We build arsenals to prevent hostility, but the power of those arsenals, like a force as constant as gravity itself, seems to inevitably draw belligerents toward war.

At no other time in history and in no other place on the face of the Earth has this grim and tragic fact proved more true than in the Middle East. At no other

place in modern times have four wars erupted in as many decades. At no other place on Earth, in an age shadowed by conflagration, has the United States and Soviet Union come closer to nuclear war in recent years than in the Middle East in 1973. At no other place on Earth does the political and religious fever run more hot than in the lands surrounding Armageddon, the Biblical village shadowed by doom.

Mr. President, I am no prophet; I am not interested in unnecessary dramatics. I do believe that it is vital, however, that we no longer choose to turn our backs on the weight of historical evidence. Those who choose to look honestly at history must realize that the opportunities for peace are diminishing, not increasing. The odds of a major conflict in the Middle East are rising as the superpowers arm belligerents to the teeth. All sides seem trapped in desperation and cowardice, which predestines conflict.

WEAPONS OPPOSITION

Throughout my political career, I have opposed all sales of weaponry into the Middle East, and to other corners of the world as well. As a result of this position, I have predictably been scolded, exorcised, politically threatened, and condemned by virtually all sides. I have been labelled by some supporters of Israel as that nation's principal "enemy" in the U.S. Senate. I have also been criticized by a succession of U.S. Presidents—including, most recently, the Carter administration—because of my opposition to the sale in 1978 of F-15 fighter bombers to Saudi Arabia, the continuing military credit sales to Egypt, Jordan, and Syria.

I have equally condemned acts of Palestinian terrorism and terrorist reprisal on the part of the Begin government. I believe there is a dangerous madness in those who applaud and cheer the death of Anwar Sadat, a statesman of peace. And I have condemned, and continue to condemn, the illegal and arrogant use of U.S. military weaponry by the Begin government in offensive military raids against civilian towns and population centers in southern Lebanon.

Hundreds of people died in these attacks, and hundreds of thousands more were made homeless. I loathe Palestinian attacks on innocent Israeli men, women, and, too often, children. I have, in short, been targeted by all sides. I expect more opposition after my vote today against this most recent subservience to the doctrine of arming nations in pursuit of peace.

WEAPONS SALES

I ask the Senate today to take the rhetoric we have heard on the dangers of arms sales to Saudi Arabia and apply it with courage across the entire political spectrum of the Middle East. We seem mesmerized by the belief that arms escalation can secure peace in the Middle East when it has never secured peace. Yet, in little more than a decade, the United States has given or sold a staggering total of \$13.7 billion in weaponry to the State of Israel alone.

Mr. President, I ask unanimous consent that a list of weapons transferred by the United States to Israel, Egypt, Jordan, and Syria since 1970 be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

UNITED STATES TRANSFERS TO ISRAEL: 1970 TO PRESENT

			Date: number of items	
Supplier/Number and item	Description	Comment	Ordered	Delivered
UNITED STATES				
50, McDonnell-Douglas Phantom F-4E	Fighter	\$300 mn. incl. Bullpup A S and Sparrow A-A missiles	December 1968	1969-70.
6, McDonnell-Douglas Phantom F-4E	Fighter	To replace losses, incl. special radar jamming equipment).		(May 1970.)
6, McDonnell-Douglas Phantom RF-4E	Fighter/reconnaissance		December 1968	Spring 1970.
16-18, McDonnell-Douglas Phantom F-4E	Fighter	Part of \$500 mn arms package, authorized by U.S. Congress January 1971.	June 1970	January-July 1971-12.
25, Douglas A-4 Skyhawk	Fighter	In addition to 48 delivered in 1967-68	November 1968	1969-70.
18, Douglas A-4 Skyhawk	Fighter	Part of \$500 mn arms package, authorized by U.S. Congress January 1971.	June 1970	1971.
Lockheed C-130 Hercules	Transport			1971.
Martin Bullpup	A-S missile	To arm Phantom fighters	December 1968	1969-71.
Raytheon Sparrow	S-S missile	To arm Phantom fighters	December 1968	1969-71.
Raytheon MIM 23 Hawk	S-A missile	Part of \$500 mn arms package, authorized by U.S. Congress January 1971.	June 1970	1970-71.
NWC Shrike	A-S missile	To counter Egyptian missiles	June 1970	1970-71.
180 200, M-60 and M-48 Patton	Main battle tank	\$36 mn. Part of \$500 mn arms package, authorized by U.S. Congress January 1971.	June 1970	1970-71.
M-113	Armoured personnel carrier	Among new items displayed on National Day 1971		(1979-71.)
24 M-109	155-mm howitzer	\$3.5 mn		1970.
12 Patrol boat, "PBR" class	Displ.: 7.5 t	Added to official list in 1971.		(1970.)
42, McDonnell-Douglas F-4 Phantom	Fighter	\$500 mn. incl. 90 A-4. Armed with improved Sidewinder AAM.	December 1971	March 1972-end-1973.
(90), McDonnell-Douglas A-4N Skyhawk	Fighter	Specifically developed for Israel with new navigation and weapons delivery system.	December 1971	November 1972-end-1973.
NWC Sidewinder	A-A missile	To arm Phantom	(December 1971)	(March 1972-end-1973), (April 1972).
M-107	Self-prop. howitzer			
42, McDonnell-Douglas F-4 Phantom	Fighter	\$500 mn incl 80 Skyhawk	December 1971	1972-73.
48, McDonnell-Douglas F-4 Phantom	Fighter	\$220 mn incl 36 Skyhawk. Agreement in March for 24 extended to cover 48.	September 1973	By 1977.
McDonnell-Douglas F-4 Phantom	Fighter	1973 war replacement, Ex-USAF	October 1973	1973.
80, McDonnell-Douglas A-4N Skyhawk	Fighter		December 1971	1972-mid-1974.
36, McDonnell-Douglas A-4 Skyhawk	Fighter	Agreement in March for 24 extended to cover 36. Partly surplus A-4E.	September 1973	By 1977.
McDonnell Douglas A-4 Skyhawk	Fighter	1973 war replacement, ex-U.S. Marine Corps	October 1973	1973.
8, Boeing-Vertol CH-47C Chinook	Helicopter			December 1973.
12, Sikorsky S-61R	Helicopter			December 1973.
Sikorsky S-65	Helicopter	In airlift during 1973 war	(October 1973)	1973.
12, Lockheed C-130 Hercules	Transport			October 1973.
2,000, Sidewinder	A-A missile			
Sparrow	A-A missile			
Shrike	A-S missile			
200 plus, Hughes Maverick	A-S missile	In airlift during 1973 war		October 1973.
Raytheon Hawk	S-A missile			
Hughes TOW	A-T missile			

UNITED STATES TRANSFERS TO ISRAEL: 1970 TO PRESENT

			Date: number of items	
Supplier/Number and item	Description	Comment	Ordered	Delivered
UNITED STATES				
(150), M-60	Tank	By air and sea; 1973 war replacement		October 1973.
M-48	Tank	By air and sea; 1973 war replacement		October 1973.
Patrol boat, "Firefish III" type	Displ: 6t	Being built; capable of being remote-controlled		
3, Submarine		FR German design; being built	April 1972	
12, Beechcraft Queen Air	Light transport			December 1974.
8, Boeing-Vertol CH-47C Chinook	Helicopter	Ordered before October 1973 war	1973	(1974).
48, McDonnell Douglas F-4 Phantom	Fighter	\$220 mn for total of 48 Phantoms and 36 Skyhawks; delivery rate: 12/year through 1977; current inventory: 123	September 1973	1974-77.
50, McDonnell Douglas F-4 Phantom	Fighter		September 1974	1975.
12, Sikorsky S-61R	Long-range logistic helicopter	Ordered before October 1973 war	1973	(1974).
(9), McDonnell Douglas A-4 Skyhawk	Fighter	\$220 mn for total of 36 planes, plus 48 Phantoms; partly surplus A-4E; current inventory: —125 A-4s in 6 units.	September 1973	1974-77.
20, Beech Queen Air	Light transport	In addition to 12 delivered 1974		1974-75.
Bell AH-1J Sea Cobra	Gunship helicopter	Pilots training in USA; arms: Hughes TOW ATM	1974	1975.
8, Boeing-Vertol CH-47 Chinook	Helicopter	Ordered before October 1973 war: delivery delayed until 1975.	1973	1975.
*** General Dynamics F-16	Air combat fighter	Planning licensed production; arms: 2X Sparrow AAM or Maverick ASM.	1975	1981.
*** Grumman *** Hawkeye	Early warning and control aircraft	\$170 mn. to be used in ***	January 1976	1978.
***	***	***	***	***
***	***	***	***	***
*** McDonnell Douglas A-4 Skyhawk	Fighter	Total of *** ordered arms *** Bullpup ASM.	September 1974	1974-77.
25, McDonnell-Douglas F-15 Eagle	Fighter	*** \$7.6 mn initial batch: may rise to 400 to replace Phantom and Skyhawk.	1975	1976.
8, Sikorsky S-65A	Helicopter	For electronic intelligence	1974	1975.
General Dynamics FIM-43A Redeye	SAM	Army operates: infantry-portable	1974	1975.
Hughes AGM-65A Maverick	ASM	Arming F-4Es and IA1 Kfir; delivery delayed	1974	1976.
(1,000), Hughes TOW	ATM	\$46 mn: arming M-113 APC's; delivery delayed	1974	1975-76.
300, LTV MGM-52C Lance	SSM	Initial batch of 109 delivered	November 1974	1975-76.
Martin AGM-12B Bullpup	ASM	Arming A-4 Skyhawks	September 1974	1974-77.
McDonnell-Douglas FGM-77A Dragon	ATM	Infantry-portable	1975	
100, McDonnell-Douglas Harpoon	ShShM	\$13.5 mn	1975	
(200), NWC AGM-45A Shrike	ASM	Arming IA1 Kfir	September 1974	(1975).
NWC AIM-9 Sidewinder	AAM	Arming F-4Es	September 1974	1974-77.
Pershing 1A/2	Long-range SSM	Congressional opposition may have stopped deal	(1976)	(1979).
Raytheon AIM-7F Sparrow	AAM	Among new arms worth \$100 mn, supplied Apr-Aug 1975; arming F-4Es.	1974	1975.
Teledyne Ryan/Philco Ford	Remotely piloted vehicle	\$4 mn incl training and support and electronic counter-measure equipment.	1974	1975.
Rockwell International Condor	ASM		(1975)	
600, M-60A1	Main battle tank	Extension of 1974 order for 200; delivery delayed	1974-75	1974, 1976.
M-113	APC	Arms: Hughes TOW ATM; delivery delayed	1974	1975-76.
Firefish III	Fast patrol boat	Displ: 6 t; under construction; remote controlled	1971	
1, "Casa Grande"-class	Floating dock ship	Displ: 4 790 t; for use as dock for Saar gunboats	1975	
	Hovercraft	Navy equipped with hovercraft for coastal defence; may be of indigenous design.		1975.
Bell AH-1J Cobra	Assault helicopter	\$64 mn; incl in \$241 mn sale approved before FY 1977: incl missiles and Walleye bombs; arms: Hughes TOW ATM.	1974	(1977).
8, Boeing Vertol CH-47C Chinook	Helicopter	Ordered before Oct. 1973 war: delivery delayed	1973	1976-77.
200-400, General Dynamics F-16	Light-weight fighter aircraft	U.c.: \$6.7 mn; licensed production desired; U.S. administration may refuse to sell due to concern for Israeli re-export to third countries.	1977	1980-).
4, Grumman E-2C Hawkeye	AEW aircraft	\$187 mn incl installation and test of data link system.	January 1976	November 1977-March 1978.
8, Lockheed C-130H Hercules	Transport aircraft	Brings total to 24 troop transport/cargo vers.	(1975)	1976.
2, Lockheed KC-130H Hercules	Tanker/transport aircraft		(1975)	October 1976-77.
12, McDonnell Douglas F-15 Eagle	Fighter aircraft	U.c.: \$15 mn; order cut from 25 due to cost escalation; arms: Sidewinder and Sparrow AAM.	1975	1976-77.
36, McDonnell Douglas A-4N Skyhawk	Fighter aircraft	Total of 287 ordered; arms: 2X Bullpup ASM	September 1974	1974-77.
—30, McDonnell Douglas A-4N Skyhawk	Fighter aircraft	To be delivered during 1977 as replacement.	1976	1977.
30, McDonnell Douglas F-4E Phantom	Fighter aircraft	Total of 250 received since 1969; arms: Maverick ASM, Sidewinder AAM.	September 1974	1976.
—30, McDonnell Douglas F-4E Phantom	Fighter aircraft	To be delivered during 1977 as replacements	1976	1977.
Sikorsky CH-53	ELINT helicopter		1976	(1977).
12, Sikorsky S-61R	Helicopter		(1975)	1976-77.
Hughes AGM-65A/B Maverick	ASM	Incl in \$241 mn sale approved before FY 1977; arming F-4E and Kfir; delivery delayed.	1974	1976.
(1,000), Hughes BGM-71 TOW	ATM	Arming M-113 APC; delivery delayed	1974	1975-76.
330, LTV MGM-52C Lance	Tactical battlefield support SSM	Delivery delayed; with non-nuclear warhead	November 1974	February 1976-77.
Martin AGM-12B Bullpup	ASM	Arming A-4 Skyhawk	September 1974	1974-77.
McDonnell Douglas FGM-77A Dragon	ATM	Large number being delivered.	1975	1976-77.
100, McDonnell Douglas AGM-84A Harpoon	ShShM	\$13.5 mn	1975	1978-79.
Raytheon AIM-93-1 Sidewinder	AAM	Arming F-4E	September 1974	1974-77.
Raytheon AIM-9J-1 Sidewinder	AAM	\$31.8 mn incl in \$241 mn sale approved before FY 1977	1976	(1977).
Rockwell AGM-53A Condor	ASM	Incl in \$241 mn sales approved before FY 1977 after Sinai peace agreement.	October 1976	(1977).
	Tele-guided ATM	See above; plus concussion bombs and ECM equipment; first customer outside USA.	1976	(1977).
400, M-60 A1	Tank	Brings total to 600; delivery delayed	1975	1975-76.
125, M-60 A1	Tank	Incl in \$241 mn sales approved before FY 1977 after Sinai peace agreement.	October 1976	1977.
M-113 A1	APC	Production for new order started April 1976; arms: 10X Hughes TOW ATM.	1976	(1977).
"Firefish III"	155-mm howitzer		1976	(1977).
1, "Casa Grande"-class	Fast patrol boat	Displ: 6 t; under construction: remote-controlled	1971	
	Floating dock boat	Displ: 4,790 t; completed 1944; ex-USN; for use as dock for "Saar"-class gunboats.	1975	(1976).
18, AH-1S Huey Cobra	Bell	Gunship helicopter	1977	1977-6; 1978: 12.
300, AIM-7F Sparrow	Raytheon	AAM	1975	1976: 48; 1977: 204; 1978: 48.
300, AIM-9L Sidewinder	Raytheon	AAM	1975	1976: 48; 1977: 204; 1978: 48.
200, BGM-71A TOW	Hughes	ATM	1977	1977: 72; 1978: 128.
8, CH-47C Chinook	Boeing-Vertol	Helicopter	1973	1976: 4; 1977: 4.
45, "Dabur-77"		Coastal patrol boat	1973	1975: 10; 1976: 20; 1977: 15.
4, E-2C	Grumman	AEW	1976	1977: 2; 1978: 2.
23, F-15A Eagle	McDonnell-Douglas	Fighter/interceptor	1975	1976: 4; 1977: 15; 1978: 4.

Supplier/Number and item	Firm	Description	Date: number of items	
			Ordered	Delivered
150, F-16A	General Dynamics	Light freighter/strike	1977	1980.
FGM-77A Dragon	McDonnell-Douglas/Raytheon	ATM shoulder-launched	1975	
20, Flagstaff Mk 2	Grumman	Hydrofoil patrol boat	1977	
5, HH-53C ELINT	Sikorsky	Helicopter	1976	1977: 1.
2, KC-130H	Lockheed	Tanker/transport	1975	1976: 1; 1977: 1.
100, M-109	Ford	155-mm howitzer	1976	1977: 50; 1978: 50.
700, M-113 A1	Ford	Armoured car	1976	1977: 100.
15, M-728		Combat engineer vehicle tracked	1977	1977: 5; 1978: 10.
100, RGM-84A Harpoon	McDonnell-Douglas	ShShM	1975	1978.
12, S-61R	Sikorsky	Helicopter amphibious transport	1975	1976: 4; 1977: 8.
2, TF-15A Eagle	McDonnell-Douglas	Combat trainer	1975	1977: 2.

Supplier/Number ordered and manufacturer	Weapon designation	Weapon description	Supplier/Number ordered and manufacturer	Weapon designation	Weapon description
UNITED STATES					
18, Bell	Bell-209 AH-1S	Hel.	15, Chrysler	M-728	AEV.
4, Grumman	E-2C Hawkeye	AEW.	200, Texinst/Univac	AGM-45A Shrike	ARM.
23, MDD	F-15A Eagle	Fighter/interc.	(300), GD/Raytheon	AIM-7F Sparrow	AAM.
15, MDD	F-15A Eagle	Fighter/interc.	170, GD/Raytheon	AIM-7F Sparrow	AAM.
75, Gen Dynamics	F-16A	Fighter/strike.	(300), Raytheon	AIM-9L	AAM.
5, Sikorsky	HH-53C	Hel.	200, Hughes	BGM-71A TOW	ATM.
30, Hughes	Hughes-500MD	Hel.	60, Raytheon	MIM-23B Hawk	Landmob SAM.
(100), Allison Div.	M-109-A1	SPH.	100, MDD	RGM-84A Harpoon	ShShM.

Supplier/Number and item	Description	Comment	Date: number of items	
			Ordered	Delivered
UNITED STATES				
600, AGM-65A	ASM	Included in peace treaty arms package	1979	
170, AIM-7F Sparrow	AAM		1978	(1979): 170.
600, AIM-9L	AAM	Included in peace treaty arms package	1979	
BGM-71A TOW	ATM		(1979)	
5,000, Dragon FGM-77A	ATM		(1979)	
35, F-15A Eagle	Fighter/interc	Included in U.S. sales package to Middle East, approved Feb. 1978: total cost: including 75 F-16A fighters.	1978	1981.
75, F-16A	Fight/strike	Israel may develop local design Arve, since USA refused co-production of F-16A and reduced number ordered from 250 to 75.	1978	1980: 35.
200, M-109-A2	SPG	Requested Jul 1979	(1979)	
800, M-113-A2	APC	Included in peace treaty arms package	(1979)	
200, M-60-A3	MBT		(1979)	
60, MIM-23B Hawk	Landmob SAM	Pending congressional approval	1978	(1978): (30); (1979): (30).
100, MIM-23B Hawk	Landmob SAM		1979	
30, Model 500 M	Hel.		1978	1979: 30.
100, RGM-84A Harpoon	ShShM		1975	
100, RGM-84A Harpoon	ShShM	At least 100 ordered to complement Gabriel: also probably ordered ASHM version for F-4.	(1979)	
38, F-15A Eagle	Fighter/interc	Incl in US sales package to Middle East; approved Feb. 1978: total cost incl 75 F-16A fighters.	1978	1978: (5); 1979: (15); 1980: (3).
75, F-16A	Fighter/strike	First delivery Jul 1980; 8 out of 31 delivered 1980 are F-16B trainer versions; total cost incl training and test equipment.	1978	1980: 31; (1981): (44).
25, Model 500MD	Hel.	Gunship version: armed with TOW	1978	1980: 25.
(5), RU-21E	Recce	Ex-USAF; estimated order number	(1979)	(1980): (5).
200, M-109-A12B	SPH		1979	
800, M-113-A2	APC	Included in peace treaty arms package	(1979)	1980: (660).
56, M-548	Cargo		1979	
98, M-577-A2	CPC		1979	
200, M-60-A3	MBT		(1980)	1980: (100); 1981: (100).
25, M-88-A1	ARV	Letter of offer announced	1979	
600, AGM-65A	ASM	Included in peace treaty arms package	1979	1980: (250).
600, AIM-9L	AAM	Ordered September 1979; incl in peace treaty arms package: arming F-16's.	1979	1980: (250).
BGM-71A TOW	ATM		(1979)	
250, Chaparral	Landmob SAM	Congress requested to approve purchase; for training and stocks	(1979)	
5,000, Dragon FGM-77A	ATM	Ordered July 1980; for delivery 1980-81	1979	1980: (2,500); (1981): (2,500).
100, MIM-23B Hawk	Landmob SAM	Pending congressional approval	1979	
100, RGM-84A Harpoon	ShShM	At least 100 ordered to complement Gabriel; also probably ordered ASHM version for F-4.	(1979)	
2, Flagstaff-2	Hydrofoil FPB	Prior to possible license production of 10	1977	

UNITED STATES TRANSFERS TO JORDAN: 1970 TO PRESENT

Supplier/Number and item	Description	Comment	Date: number of items	
			Ordered	Delivered
UNITED STATES				
18, Lockheed F-104 Starfighter	Fighter	Option on second consignment of 18 taken up in April 1969.	April 1969	1970.
M-60	Main battle tank		(Early 1971)	August 1971.
(24-30), Northrop F-5E Tiger II	Fighter	MAP	(April) 1972	1973.
2-3, Northrop F-5B	Trainer		(April) 1972	1972.
4, Fairchild C-119K Packet	Transport	U.S. military aid; 1 crashed.		1972: 2.
200, M-113	Armoured personnel carrier		1972	1974.
24, Northrop F-5E Tiger II	Fighter	MAP	(April) 1972	(1973).
6, Northrop F-5B	Trainer	MAP	(April) 1972	1972-73.
Lockheed C-130B Hercules	Transport	U.S. surplus, refurbished.		1973.
200, M-113	Armoured personnel carrier		1972	1974.
1, Fairchild C-119K Packet	Transport	In addition to 2 delivered in 1972.		1974.
36, Northrop F-5E/F-5B	Fighter	U.c.: \$2.7 mn MAP	February 1974	
Chaparral	S-A missile system		1974	
Raytheon Improved Hawk	S-A missile system	U.S. government approved January 1975.	1974	
Hughes TOW	A-T missile system	MAP: for Army	(1973)	1974.
6, Cessna T-37	Jet trainer	Ex-USAF for training led by USAF and RAF staff.	(1975)	1975.

UNITED STATES TRANSFERS TO JORDAN: 1970 TO PRESENT—Continued

Supplier/Number and item	Description	Comment	Date: number of items	
			Ordered	Delivered
UNITED STATES				
30, Northrop F-5E Tiger II	Fighter	U.c.: \$2.7 mn; MAP, arms: Sidewinder AAM	February 1974	1975.
300, General Dynamics FIM-43A Redeye	SAM	\$5 mn; infantry-portable; delivery delayed; incl in \$350 mn air defence package.	1974	1976.
NWC AIM-9 Sidewinder	AAM	Arming 30 F-5Es	February 1974	1975.
532 (14 batt), Raytheon Improved Hawk	SAM	\$800 mn. incl spares; for defence only at fixed sites; delivery delayed.	1974	1976-79.
(50), M-60A1	Main battle tank	In addition to 100 delivered 1971-72	1975	1975.
100 (8 batt), General Electric M-61 A-1 Vulcan	Anti-aircraft cannon	\$90 mn. incl in \$300 mn air defence package	1974	1976-78.
2, Lockheed C-130 Hercules	Transport aircraft		1976	(1977).
22, Northrop F-5E Tiger II	Fighter aircraft	Brings total to 602; incl F-5As from Iran; MAP: arms: Sidewinder AAM.	1974	May 1975-76.
4, Sikorsky S-76	Helicopter	For troop transport	1976	1978.
300, General Dynamics FIM-43A Redeye	SAM	\$5 mn; incl in \$800 mn air-defence order financed by Saudi Arabia.	1974	1976.
10, AH-1H	Bell	Gunship helicopter	1977	
288, AIM-9J Sidewinder	Raytheon	AAM	1974	1975: 108; 1976: 144; 1977: 36.
60, BGM-71A TOW	Hughes	ATM	1977	
2, C-130B Hercules	Lockheed	Military transport	1976	1976: 1; 1977: 1.
44, F-5E Tiger-2	Northrop	Fighter	1974	1975: 18; 1976: 24; 1977: 2.
4, F-5F Tiger-2	Northrop	2-seat fighter	1974	1977: 4.
M-110 A1		SP howitzer	1977	
700, M-113 A1	Ford	Armored car	1976	1977: 100.
100, M-48		MBT	1976	1977: 50; 1978: 50.
100, M-60-A1	Chrysler Corp	MBT	1976	1977: 50; 1978: 50.
532, MIM-23B Hawk	Raytheon	SAM	1974	1977: 532.
4, S-76	Sikorsky	Helicopter troop-carrier	1976	1978: 4.
100, M-61-A-1 Vulcan	General Electric	Air defense system	1974	1977: 100.

Supplier/Number ordered and manufacturer	Weapon designation	Weapon description	Supplier/Number ordered and manufacturer	Weapon designation	Weapon description
UNITED STATES			700, FMC	M-113-A1	ICV.
10, Bell	Bell-209 AH-1S	Hel.	100	M-48 Patton	MBT.
1, Lockheed	C-130H Hercules	Transport.	100, Chrysler Corp.	M-60-A1	MBT.
4, Northrop	F-5E Tiger-2	Trainer.	60, Hughes	BGM-71A TOW	ATM.
4, Sikorsky	S-76	Hel.	532, Raytheon	MIM-23B Hawk	Landmob SAM.
FMC	M-110	SPH.	100	Vulcan	SPG.

Supplier/Number and item	Description	Comment	Date: number of items	
			Ordered	Delivered
UNITED STATES				
AIM-9J	AAM	Contract confirmed August 1979: for 6 F-5F's	1979	
1, C-130H Hercules	Transport		1978	1979: 1.
4, F-5F Tiger-2	Trainer	Pending congressional approval: deal includes AIM-9 and 20-mm guns.	1979	
18, M-109-A2	SPG	U.S. letter of offer Apr. 1979	(1979)	
M-110	SPH		1977	
700, M-113-A1	ICV		1976	(1976): 280; 1977: 100; 1978: 220; (1979): 100.
100, M-113-A1	ICV	U.S. letter of offer Apr. 1979, although Jordan was denied export license in FY 1978 for M-113.	1979	
30, M-60-A3	MBT	Requested Jul. 1979: U.S. government approved of sale: to replace aged M-47 and Centurion.	(1979)	
10, Model 209 AH-1S	Hel.	U.S. Government approved sale but contract not final: Saudi Arabia refuses funding.	(1979)	
57, F-5E Tiger-2	Fighter		1974	1975: (8); 1976: (8); 1977: (8); 1978: (8); 1979: (8); 1980: (8)
6, F-5F Tiger-2	Trainer	Pending congressional approval, deal incl. AIM-9 AAMs and 20-mm guns.	1979	

UNITED STATES ARMS TRANSFERS TO EGYPT: 1970 TO PRESENT

			Date: Number of items	
Supplier/Number and item	Description	Comments	Ordered	Delivered
UNITED STATES				
1, Boeing 707	Transport	AF received for VIP long-range transport	1975	1975.
UNITED KINGDOM/UNITED STATES				
6, Westland/Sikorsky SH-3D Sea King Mk 2	ASW helicopter	Contracted and paid for by Saudi Arabia	1975	June 1976.
24, Westland/Sikorsky Commando Mk 1/2	Assault helicopter	Arms 2xAS-12; contracted and paid for Saudi Arabia	1974	1974-76.
4, Westland/Sikorsky Commando Mk 2	Assault helicopter	See above; repeal order	1975	1978.
UNITED STATES				
6, Lockheed C-130H Hercules	Transport aircraft	\$65 mn; may order 14 more to replace An-12; paid for by Saudi Arabia; 1956 embargo lifted.	1976	December 1976.
2, C-130E Hercules	Lockheed	Military transport	1976	1977: 2.
14, C-130H Hercules	Lockheed	Military transport	1977	
4, C-130H Hercules	Lockheed	Military transport	1976	1976: 2; 1977: 2.
12, PQM-34 Mod. 124R	Teledyne-Ryan	Photo-recce drone	1977	
14, Lockheed C-130H Hercules	Transport			
42, Northrop F-5E Tiger-2	Trainer			
500, AGM-65A	ASM	To arm F-4E Phantom aircraft: pending congressional approval.	1979	
70, AIM-7E Sparrow	AAM	To arm F-4E Phantom aircraft: pending.	1979	
11, C-130H Hercules	Transport		(1979)	
40, F-16A	Fighter/strike	Egypt requested 300. U.S. Government offered to sell 40; order incl 250 M-60-A3's.	1980	1980: (5).

Supplier/Number and item	Description	Comment	Date: number of items	
			Ordered	Delivered
35, F-4E Phantom	Fighter	12 USAF F-4Es and 560 USAF personnel to train with EAF F-4Es July-September 1980.	1979	1980: 35.
5, S-76 Spirit	Hel	On order	1980	
50, M-106-A2	Mortar carrier	Requested July 1979	(1979)	
550, M-113-A2	APC	DOD informed Congress: second batch bringing total to 1,100.	(1980)	
550, M-113-A2	APC	Deal arranged June 1978 during War Minister Gamassi's visit to USA: several hundred reportedly on order to replace Soviet types.	1979	1980: (200).
50, M-125-A2	APC	Requested July 1979	(1979)	
50, M-548	Cargo	Requested July 1979	(1979)	
50, M-577-A2	CPC	Requested July 1979	(1979)	
43, M-578	ARV	Total cost incl 43 M-88-A1s: pending congressional approval.	(1980)	
244, M-60-A3	MBT	Order incl 40 F-16s: 250-300 more planned for delivery 1985.	(1980)	
67, M-60-A3	MBT	Before Congress July 1980: in addition to 244 previously ordered.	1980	
43, M-88-A1	ARV	Total cost incl 43 M-578: pending congressional approval.	(1980)	
52, M-901 TOW	ICV	Improved version of M-113-A1, armed with TOW: U.S. letter of offer.	1980	
600, AGM-65A	ASM	Arming F-16s	1980	1980: (75).
70, AIM-7E Sparrow	AAM	Arming F-4E Phantoms	1979	1980: 70.
100, AIM-9E	AAM	Arming F-4E Phantoms	1979	1980: (100).
250, AIM-9P	AAM	Arming F-4E Phantoms	1979	1980: (100).
BGM-71A TOW	ATM	Undisclosed number on order for 52 M-901 launch vehicles: pending congressional approval.	1980	
36, MIM-23B Hawk	Landmob SAM	12 btys requested July 1979, incl missiles, radar, spare parts and training.	1979	1981: 12.
12, Spectre Class	FPB	Incl in \$1.5 bn credit package.	(1979)	

UNITED STATES TRANSFERS TO SYRIA: 1970 TO PRESENT

Supplier/Number and item	Description	Comments	Date: number of items	
			Ordered	Delivered
ITALY/USA				
18, Agusta Bell 212	ASW helicopter	Incl 6 for SAR; order imminent	(1977)	
6, Agusta/Boeing Vertol CH-47C Chinook	Medium-lift helicopter		1976	
6, Agusta/Sikorsky AS-61 A-4	Helicopter	Order imminent	(1977)	
—12, Agusta/Sikorsky SH-3D Sea King	Helicopter	Order imminent	(1977)	
8, Lockheed C-130H Hercules	Transport aircraft	U.S. State Department authorized sale	1976	
2, Lockheed L-100 Hercules	Transport aircraft	U.c.: \$10 mn; commercial sale, Congressional approval not required.	1976	
UNITED STATES				
2, Lockheed L-100-20	Transport		1976	
2, Lockheed L-100-20	Transport			
4, L-100-20	Transport		1980	

Mr. HATFIELD. Mr. President, the modern history of the Middle East has been one of religious and political tensions. Since no effective diplomatic solution was offered to solve the problems of Palestinian refugees and Israeli security the rising political pressure exploded into four short, ferocious wars.

Because of the increasing destructive power of weaponry sent into the region by the United States and the Soviet Union, each successive conflict seemed to bring with it greater international tension.

NUCLEAR CONFRONTATION

Finally, in the 1973 war, this tension became acute and fundamentally frightening. Israeli forces had reversed the tide of battle with an unprecedented infusion of U.S. weaponry and were threatening to encircle and destroy the Egyptian Army.

Responding to this ominous threat, and understanding well the disastrous international implications to its prestige should the Egyptian Army be destroyed, the Soviet Union threatened to send troops and other support into the conflict. An embattled U.S. President, under threat of impeachment, responded by placing the worldwide nuclear arsenal of the United States on strategic alert.

The Soviets tensed for a response. The equivalent firepower of more than 600,

000 Hiroshima bombs was edged further and further toward release. A desperately managed cease-fire was all that saved the 1973 war from conceivably becoming a thermonuclear Sarajevo.

Mr. President, how much closer need we be brushed by the cold, hollow wind of nuclear conflagration to understand the nature of the destructive whirlwind which lies at the end of the bankrupt policies we are now pursuing? Yet, in the 8 years since the October war, we have resolutely continued the buildup of arsenals throughout the region. We have done so in the self-destructive assumption that this will somehow—despite the overwhelming weight of historical evidence—help us avoid war.

WEAPONRY AND THE CONSEQUENCES OF WAR

Let us take a more specific, modern example of the flawed doctrine: "If you seek peace, prepare for war."

It is generally accepted that Israel possesses nuclear weapons. We have granted and sold to Israel the military capability to deliver these weapons. We have not insisted that Israel abide by international agreements on nuclear safeguards.

Should some future war have turned against Israel, her leaders might be expected to make a final desperate move to reverse the tide of conflict.

The destruction of the Aswan Dam, with conventional or atomic weapons, for example, would not just end a war; it would effectively destroy Egyptian civilization along the Nile.

Thus, with the virtually unsupervised sale and gift of weaponry ostensibly to prevent conflict, the United States may in fact assure that the next war could carry with it unforeseen, devastating consequences.

Nor are U.S. armed sales limited to long-term U.S. allies in the region. We are about to give General Zia of Pakistan a first installment of a \$3 billion security package without hearings, without regard for his vehement opposition to the State of Israel and with memories conveniently blank to the burning of the U.S. Embassy there 2 years ago. This is a gift to a man who speaks openly about working in collusion with Colonel Qadhafi in the development of an "Islamic" bomb. The mad short-sightedness of this doctrine is largely indiscriminate, and seems as obvious as it is dangerous.

Mr. President, no more clear example of this can be cited than the Shah of Iran. For more than a decade, the United States rewarded the shah with armaments which, in some cases, were not even yet in the American arsenal because of their expenses. There was no faltering in this policy—no holding back.

The Shah received virtually every ounce of military weaponry he requested, to the detriment of affording more aid to the lower Iranian classes. What was the effect of this head-long plunge toward massive military security? Poverty, hatred, fanaticism and finally, I say to the Senate, revolution.

CAMP DAVID

It will be argued that, by sending weaponry to all sides, the United States can influence hostile nations to negotiate a peace. Consequently, Camp David will be hailed as the diplomatic safety valve which will lessen political and religious hostilities and thus move us finally toward a comprehensive peace. But Camp David has fallen far short of addressing the fundamental questions of misery and homelessness of those who live and end their lives in Palestinian refugee camps—breeding grounds for terrorism against the citizens of Israel.

Nor has the process adequately addressed specific methods by which Israel can be guaranteed her security without permanent possession of the West Bank and permanent control over all of Jerusalem.

Camp David fell short even in the wake of the visit of a leader of the Arab world's most powerful and populated nation to the Israeli Knesset to plead for peace.

Delay, and a lack of vision and courage sufficient to push the peace progress toward a more comprehensive solution, has now deeply endangered even the tentative accomplishment of Camp David. It would be dishonest not to also say that these factors may well have contributed principally to the death of one of the personal foundations of the peace initiative, Anwar Sadat.

Will the continued lack of diplomatic courage insure a far more radical regime in Egypt and insure a more limitless threat to Israel than she has ever faced? History—and our failure to try to alter it—may well assure this sobering outcome, if we do not act.

Should the United States proceed with the sale of armaments to Saudi Arabia, which of the Members of this body believe that we will not immediately have even greater demands for such weaponry from Israel to counterbalance the AWACS sale? Which of my colleagues will be prepared to join me in opposing this next ascending circle in the ever-escalating spiral?

CONTROL?

A fundamental rationale used by many of my colleagues in opposition to this sale is that the United States may lose control over its sophisticated weapons by sending them to Saudi Arabia. Which one of my colleagues, then, will join me in opposing the next multi-billion-dollar request for weaponry to Israel when the Begin government—in blatant violation of U.S. law—unilaterally uses U.S. fighter-bombers to bomb villagers in southern Lebanon?

Where is the sense of alarm among my colleagues when this indiscriminate destruction of life occurs and the United States seems powerless to control it?

Mr. President, United States Middle East policy is not only wedded to weaponry, but it is fused to a fundamentally dangerous lack of fairness and balance. I shall not stand idly by while selective charges of extremism are aimed at nations like Saudi Arabia when the United States itself seems powerless to moderate extremism among its other allies.

The Saudis understandably fear a unilateral attack from Israel or Iran. They need only glance at Mr. Begin's policy toward Iraq and southern Lebanon, or Iran's recent attack against Kuwait for grim reassurance. The idea of American troops being aboard AWACS during such an attack is a deeply disturbing possibility. Yet this possibility has been virtually ignored in Senate debate.

Nothing is more flat-out discouraging to the forces of moderation than a blatant and embarrassing unwillingness on the part of this Government to enforce its own laws when they are violated—arrogantly and blatantly violated—by an Israeli Government that largely owes its very existence to the United States.

PRESIDENTIAL AUTHORITY

Mr. President, I might add that an equal amount of dangerous inconsistency is being presented by supporters of the sale. I opposed the sale of F-15 fighters to Saudi Arabia in 1978. I did so for the reasons I shall oppose this sale today, and have opposed sales to Israel: They darken prospect for peace. I also opposed the F-16 sale because, despite the assurance of the Carter administration that the capability of those weapons would never be enhanced, it seemed to me that the inevitable escalation of arms into the region would mandate such enhancement.

Now, a mere 3 years later, that escalation has again occurred. We are asked now to ignore the promises of this Government made 3 years ago. This simple fact is that the word of the United States must always be doubted if U.S. policy depends on the sale of weaponry to achieve stability and peace.

COMPREHENSIVE SOLUTIONS

An end to the cycle of war and violence plaguing the Middle East will occur only when the fundamental problem of a Palestinian homeland, in concert with Israeli security, is addressed. As Anwar Sadat showed us, an overreaching sense of hope and courage is what is required to break down historical and religious barriers thousands of years old.

It is the essence of cowardice and despair to pursue a virtually unlimited arms buildup policy in an area of the world heated so red hot by the undying flames of war.

We are at a moment of enormous danger and risk. The prospects of war are, in my opinion, increasing. There is nonetheless great potential for peace, if the United States can but lead the way.

Peace must entail a settlement of a Palestinian homeland, secure borders without the West Bank and Gaza for Israel, international supervision and troops to insure the sanctity of those borders, a nuclear free zone in the Middle East backed by absolute methods of

verification, and the ultimate transfer of billions in funds devoted to weaponry in the region toward the economic vitalization of nations now torn by staggering poverty and religious strife.

The roots of war in the Middle East can be unearthed. But it will take the straining, the courage, and the determination of powerful forces converging toward an unambiguous, singular goal. The United States alone has the power to focus its strength on the prospects for true peace and turn away from the hopelessness and despair inherent in our present policy.

Mr. President, history is certain on one point. There will be another moment of reckoning. It can be a moment of the unprecedented release of emotions because a peaceful solution has been achieved, as when President Sadat stepped on Israeli soil.

It can more easily be a moment of the unprecedented release of violence and hatred, as when Sadat was destroyed, multiplied ten thousand-fold.

I sense and fear that another war would unleash unprecedented human destruction not just on the lands of Armageddon, but on us all.

Both an enormous potential, and frightening prospect, confront us. This vote today, surrounded as it is by much attention and even greater pressure, is a symptom of a larger danger. I have tried to describe what that danger may entail. I plead with my colleagues to look beyond the pressures of the moment and sense the madness that is swirling all around us.

If history tells us nothing else, it tells those who would listen to meet the challenge it presents with an overreaching sense of courage. It demands that we reject the weapons policy—endemic to our age—which leads inexorably toward despair and hopelessness.

It demands that we rekindle the force which George Washington once referred to as a "celestial spark"—the force of the human conscience. History demands, finally, above all pressures and beyond all temporal fear, an absolute dedication to peace.

Mr. President, I ask unanimous consent that two members of my staff, Jack Robertson and Rick Rolf, be granted the privilege of the floor during this debate on the sale of AWACS to Saudi Arabia.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, I thank my friend and colleague from Oregon indeed. We have a pileup of people wishing to speak, so at the present time, we are trying to limit our speakers as follows: Those on the Foreign Relations Committee to 10 minutes, those not on the committee to 5 minutes. At this point, I yield 10 minutes to the distinguished Senator from Ohio.

Mr. GLENN. Mr. President, I thank the ranking member on the committee.

Mr. President, I have been disturbed that the Saudi Arabian Government was never approached with the question of joint control.

I am also concerned with the security of the equipment, and my concern for

U.S. participation would apply wherever the AWACS might go—to Britain, Japan, and Germany, as well as any of our other allies. That has been my view since we sent the first AWACS outside this country or contracted to do so to the NATO organization. But even in that case, we are in charge of the command structure. We are part of the planning process. We provide 40 percent of the manning per year for those aircraft. It is a wholly different situation.

At the conclusion of my remarks, I will enter a more formal statement in the RECORD, but I wish to make my remarks today on the floor along a little different line.

Several other concerns have come up surrounding the AWACS sale that do not bear directly on it but on the methods by which we operate.

I am not politically a new boy here. I am not naive to the way of politics. But I think that some of the actions taken with regard to how this whole deal has been put through by the administration bear some looking at.

Every Member of this body has been subject to business contacts from back home—in my particular case, from some of the biggest contributors to my campaigns in the past.

I do not look at this as a business matter. I do not look at the sale to the Saudis as being a business-as-usual matter, on a dollar basis of what is best for American business.

To the credit of one of the biggest corporations in this country, when the head of that corporation, a friend of mine, was specifically asked to lobby me, he refused. He said that he agreed with my views on the sale of AWACS. He was asked, "Will you please stand by, and we will have the President talk to you?" He declined, to his credit.

So far as individual efforts here on the floor are concerned, individual efforts made to affect certain Members, to the credit of every Senator here, I say that I know of no one who has succumbed to any of these enticements. I add that I know of not one who has had any of these promises made by the President himself; but they have been made third hand, after some White House staff person asked someone to contact a certain Senator. That, apparently, is the MO under which we have been operating.

One Senator wanted a project approved, and it was indicated that it might be approved. To another, it was indicated that it probably could be arranged that they would not campaign against him; another wanted a U.S. attorneyship. Another Senator voted in committee against the sale, and there just happened to be the announcement of an airbase closing 15 minutes after his vote.

Another Senator wanted a bill signed, and it was signed that day. Another apparently was asked to withdraw a letter, and it was stated that that would interfere with fundraising in the Jewish community, and that was within our body.

This is a pattern which, taken singly, might be something we could dismiss. But, as a pattern, it gives me a great deal of pause.

This, apparently, has been accepted by the press as the norm around here. If this be the norm for our Nation, it is no wonder that we have politicians at the lowest order of those whom the American people respect.

If that is the way the game is to be played, the American people are never going to have any more good feelings toward people in political life than they have today.

Where does that leave those who constantly weigh these matters, not in terms of what is in it for me, but what is best for my country; what is best for my Nation? Are we just dupes? Are we foolish to study all these things and vote our consciences? I cannot believe that is true. But the idea that seems to come out at this time is, "Don't commit your vote early. Hold out for what you can get."

I repeat that, so far as I know, the President has not been involved himself. But I say to the President of the United States, "You are being ill-served by a staff that uses methods such as those, whether firsthand from those members or through third parties."

With respect to our foreign policy formation in this country, we have come down to "support your President." I have been called to task for questioning the authority of the President to conduct foreign policy. I do not question the authority of the President to conduct foreign policy for this Nation. The Constitution of the United States limits his authority; it gives us an advice and consent role. He is not a Prime Minister who is turned out if he makes a bum decision and goes back home. I would say that the Presidential leadership in this case has lacked the sound of a certain trumpet.

We have had the New York Times article of a few days ago, which I will have printed in the RECORD at the conclusion of my remarks, which records some activities going on, as to how we are forming or not forming foreign policy.

I also say to the administration that, almost unanimously, those to whom I have talked, Republicans and Democrats, agree—in fact, many Republicans have also stated—that this has been one of the most mishandled deals they have seen since they have been on Capitol Hill. We have the NSC meeting shortly after the President was shot. The Secretary of State apparently disagreed with making the AWACS and the other proposals part of the package. The Secretary of Defense wanted that combination. The NSC was to run the show, and the question was, "How are we going to sell this to the Senate?" It went back to the State Department to sell, and then to the White House, and then we even had Mr. Stockman of OMB getting into the act.

After all the talk of the importance of the Persian Gulf, of how we get 20 percent of our oil, and Western Europe

gets 50 percent of its oil, and Japan gets 75 percent of its oil, and how the President is guaranteeing the security of the region, both internal and external, from the Saudi standpoint, and external threats for all the other nations in that part of the world, what do we do? We show our resolve by paratroop demonstrations, B-52 demonstrations, and marine landings on Masiera and Berbera. But the nonbluff forces in the Persian Gulf, the ones armed today with ammunition and missiles ready to go, the carrier forces in the Persian Gulf, are being reduced by one-half. Why the vaunted U.S. press never picked up on that one out of our Foreign Relations Committee and Armed Services Committee, when we are making all these commitments to the Persian Gulf, I do not know.

Steaming time for the Navy is now below what it was during the Carter administration. Stockman has indicated a \$246 million cut in operational funds. At the time we are talking tough, we are decreasing troops in the Persian Gulf. We are reducing our force in the Persian Gulf at the time we are trying to show our leadership in that area. It does not make sense. I had hoped we would be tripling or quadrupling our forces, not cutting them in half. They say that we had two carrier task forces assigned in that area, during the past year we averaged 1.7, and we are now going to have one assigned, and it will probably come out 1.2. This is why we are talking about this being the most important naval area in the world?

When Prime Minister Begin was here, he came before the Foreign Relations Committee. His testimony was given in private in that executive session, but much has since gotten into the press. It turned out that during the discussions between the President and Mr. Begin, the West Bank settlement was never made part of the discussion, and the defensive-offensive use of U.S. arms was not brought up between the two heads of government.

It was not discussed directly. I understand that it was discussed by other people.

Can you imagine the two heads of state sitting down and those questions not being discussed?

Back to the AWACS sale: It is unfortunate that this has been made the end-all and be-all of our foreign policy in the Middle East. I hope we are on a much firmer basis than just that.

Mr. President, this is the football season. A quarterback is there to lead, to go into the huddle, to give the signals. There may be objections from some player. He may have some suggestion to alter the play. At least the views of all those on the same team are considered.

We have certain advice and consent roles that we play subject to the Constitution and which have been spelled out in certain laws passed through the 200 years of our existence as a nation.

Our President has to operate within those constraints and he knows that,

and so this time is a particularly difficult one because Congress has been ignored. In future plays surrounding foreign policy I hope he could avoid repetitions of this one example we have had in the first quarter of this new administration.

I hope the whole game plan of the administration in foreign policy is not going to be dependent on the President somehow waiting until the last minute and tossing a successful lobbying bomb to the goal line every time.

Mr. President, I have only one additional comment, and that is this: In the event the resolution of disapproval passes this afternoon it will be my intention to offer a sense of the Senate resolution that because of the importance of the Persian Gulf the United States continues to be desirous of service in that area, and that we recognize the air defense needs of theirs and ours. I would offer a resolution to say that, if they agree, we continue to provide this service in this part of the world and we in turn will operate to work their planning and crewing into a joint operation.

Mr. President, at 5 o'clock this afternoon the Senate will vote to approve or disapprove an arms sales package for Saudi Arabia. The package contains, among other things, five AWACS aircraft and various items to enhance the capability of Saudi Arabia's F-15 fighter aircraft. Although my opposition to the proposed sale is well known, I think it is appropriate, at this time, to summarize for my colleagues the reasons why I believe the sale is neither in Saudi Arabia's nor America's national interest.

No one that I know of, on either side of this debate, questions the importance of the Middle East to U.S. vital interests. The region contains many close allies and important friends. The free world's industries depend heavily on Middle East oil for their continued productivity. Twenty percent of America's oil, 50 percent of Europe's and 75 percent of Japan's comes from the Persian Gulf States. Saudi Arabia alone provides 60 percent of this oil. It is not surprising then that many call the Strait of Hormuz the free world's energy jugular.

I also know of no one who questions the complexity and volatility of the political-military situation in the region. Conflicts between nations, of course, erupt periodically. On several occasions Arabs fought Jews. In other cases, we witnessed Muslims fighting Muslims. Internal instability, often associated with the rise of Islamic fundamentalism, has also plagued a number of regimes. The Shah's overthrow in Iran and the assassination of President Sadat are two such cases.

Finally, no one disputes that the Soviet Union poses a potential threat to the region. Its invasion of Afghanistan serves as a graphic reminder of what could happen at anytime to other nations. Russia also exerts indirect pressures by its support for Libya's Qadhafi, its involvement in South Yemen, and its activity in the

Horn of Africa. Two American Presidents committed the United States to defend the region and its vital oil resources from any external threat.

We do disagree, however, on whether or not this sale—the AWACS and the F-15 enhancement package—promotes the prospects for peace in the region; and whether or not the sale provides the region's nations and resources with the best possible protection from external threats that we have to offer. On both counts the sale falls short.

Administration spokesmen argue that ultimately the success of the Camp David accords will depend largely on obtaining greater support for the peace process from Saudi Arabia and other moderate Arab countries. I, too, hope ways can be found to encourage the Saudis and the Jordanians to join Israel and Egypt at the negotiating table. Supporters of the sale, however, admit that they have no guarantees that the Senate's approval will persuade the Saudis, or anybody else, to participate more actively in the peace process. But, they do warn that the sale's rejection will somehow damage the prospects for peace.

I do not believe things are quite so simple as this and view U.S. regional priorities somewhat differently. Admittedly, my views on this subject have changed rather dramatically in the short time since President Sadat's assassination, but I believe them to be valid nonetheless. Our first priority must be to encourage Israel and Egypt to continue their quest for a lasting peace. Obviously, faithful and full implementation of the terms previously agreed upon is critically important. But we already read of pressures building in Israel that question the wisdom of completing the withdrawal from the Sinai by 1982. I am confident that Prime Minister Begin will reject these ill-conceived notions. But, new uncertainties do exist within the region in the wake of President Sadat's tragic death. We must take these into account.

While I agree we must do all we can to encourage moderate Arab States to even begin to cooperate in the Mideast peace processes initiated with the Camp David accords, the "risks for peace" must come from both sides. Israel must also feel sufficiently secure that it too will discuss such contentions and even formerly non-discussable issues as the West Bank, Gaza, Jerusalem, and the Palestinian question, or these matters go bitterly unresolved into a very dubious future.

The sale in my view may create an environment that is not conducive to Israel's taking new initiatives for peace.

The sale also jeopardizes Saudi Arabia's ability to protect its key areas from attacks by outside powers. Right now, the four fully capable U.S. AWACS stationed in Saudi Arabia permit a constant watch over the vital Saudi oilfields. The U.S. aircraft operate as an integral part of the Saudi air defense system and allow for the most efficient, secure and combat-capable integration of U.S. tactical forces into the network.

No one should harbor any illusions

about the importance of U.S. forces in the defense of those oil fields either. The Saudis operating alone could amount an effective defense for only a brief period. Maintaining air superiority for any length of time, and particularly during periods of limited visibility such as night operations, would require rapid augmentation by U.S. forces flying from our aircraft carriers based in the Indian Ocean area.

The administration's plan calls for replacing the four fully capable AWACS now in Saudi Arabia with a downgraded version of the system. Apparently, the President believes that this vital piece of real estate—the Arabian peninsula—can be effectively defended by a less capable AWACS. He also apparently believes that a fully interoperable United States and Saudi air defense system is unnecessary. For me, the stakes, however, are too high and the risks are too great, to take such chances with United States and Saudi security interests. Such a plan is foolhardy and, in my view, needlessly so.

The administration before sending the Saudi package to the Hill must have reckoned that the Congress would never accept the transfer of a fully capable AWACS that had on board some of this country's most sophisticated and sensitive technologies. The administration's assessment undoubtedly was correct. I cannot imagine this, or any other Congress, approving the sale of a fully capable AWACS to any country without attaching some strings. But instead of downgrading the AWACS capabilities several Senators, including myself, recommended that the President seriously consider including the U.S. standard AWACS aircraft in the package contingent upon working out an effective joint United States-Saudi command and control arrangement. Unfortunately, no one to my knowledge even bothered to discuss this type of arrangement with the Saudis.

Therefore, reluctantly and with absolutely no pleasure, I concluded that the proposed sale served no one's interest. Instead of promoting the prospects for peace it may do great harm. Moreover, it reduces our ability to help defend the Saudi oilfields, and risks the compromise of extremely sensitive U.S. technologies. This leaves me with only one alternative, and that is to vote in favor of the resolution of disapproval.

Later today, if the administration's AWACS package is rejected, I intend to introduce a resolution, which my distinguished colleague from Minnesota, Senator BOSCHWITZ, has kindly agreed to cosponsor, that reaffirms this Nation's commitment to maintain AWACS aircraft in Saudi Arabia as long as they are deemed necessary, and seeks to encourage an expanded Saudi participation in all phases of the U.S. AWACS operation.

It is my intention to impress upon the leaders of Saudi Arabia that their nation's security from external threat remains a vital U.S. interest and, that a rejection of the AWACS package does not

have to mean a major setback in United States-Saudi relations. Our two nations have worked closely together on a wide range of issues in the past, and I am confident we will continue to do so in the future. One disappointment, no matter how major, cannot upset a solid, close relationship for long. We share too many common interests and objectives for an AWACS decision to stand in the way of our various ongoing United States-Saudi cooperative efforts.

Hopefully, the Saudis, after recovering from the initial shock—and this may take some time—will realize that the vote in no way constitutes a litmus test of our friendship. Moreover, they may also be able to accept that for now maintaining the U.S. AWACS contingent in Saudi Arabia serves their vital national interests even more than it does our own.

Mr. President, I ask unanimous consent to have printed in the *RECORD* the New York Times article to which I referred.

There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

FOREIGN POLICY SYSTEM CRITICIZED BY U.S. AIDES

(By Leslie H. Gelb)

WASHINGTON, October 18.—Nine months ago President Reagan pledged to end the recent pattern of Administrations speaking with conflicting voices on foreign and military policy. But there are still mixed signals and there is still no disciplined system for making decisions on foreign and defense policies, according to Administration officials, legislators and foreign diplomats interviewed over the last month.

Mr. Reagan said that he intended to solve the problem by downgrading the role of the national security adviser, upgrading that of the Secretary of State and re-establishing an orderly decisionmaking system. But dozens of officials who were interviewed said his efforts had not yet succeeded.

"You can see my frustration," said a senior Administration official. "Cabinet government works on the domestic side but there is nothing comparable on the national security side."

This official said, as did most others of those interviewed, that the Administration had a clear-cut goal—to build up military strength and then to negotiate with Moscow—but no plan or strategy to reach this goal and no system to tie it to other issues. There is no responsible official comparable to David A. Stockman, director of the Office of Management and Budget, to galvanize and coordinate the day-to-day policy decisions.

"THAT'S THE WAY WE LIKE IT"

Edwin Meese 3d, the President's counselor, was told during an interview that many in the bureaucracy felt that their work seemed to be floating in space and that when an issue came up to the White House they saw it as entering a black hole. "Exactly," Mr. Meese responded. "That's the way we like it."

"We feel that it is important," he said, "that the decision-making process be a matter that doesn't get a great deal of public or even internal Government attention other than from those who are directly involved, which are the members of the National Security Council, until the President makes a decision."

As many who fill key positions see it, what Mr. Reagan did initially was to diminish the role of the national security adviser,

Richard V. Allen, without elevating Secretary of State Alexander M. Haig Jr., thus creating a vacuum in power and responsibility. They say the power vacuum has since been filled largely by Mr. Meese and by others in the White House who lack a background in foreign affairs.

The responsibility for coordinating the views of different agencies and insuring that the President receives an accurate accounting of facts and choices, a role that used to be filled by national security advisers like Henry A. Kissinger and Zbigniew Brzezinski, is seen as being filled on an ad hoc basis, and sometimes not filled at all.

Officials from all departments and agencies involved, including the White House staff, describe the consequences as follows:

Sometimes the process is so centralized, so tightly held among the President and his political advisers, that no one with any expert knowledge is present and little staff work is done. This was the case in the recent decision to deploy the new MX missile in fixed silos.

At other times, the system is so loose that top advisers can argue with each other in public for weeks. This happened recently when Defense Secretary Caspar W. Weinberger, Mr. Stockman and James Baker 3d, the White House chief of staff, differed over how much to cut military spending.

At still other times, the operation is so disorganized that the President risks his whole leadership position—as in the failure for months to prepare for the current battle with Congress over the proposed sale of AWACS radar aircraft to Saudi Arabia.

Often decisions are made at the top in the White House without proper regard for the consequences on other matters. This was the case on the proposed sale of F-16 fighter-bombers to Pakistan and Venezuela. Little or no consideration was given to the impact of those sales on the desire of the Administration to sell the new FX aircraft now under development as a less sophisticated substitute for the F-16.

LACK OF CLEAR POLICY SEEN

The refrain most often heard from Foreign Service officers, military leaders and political appointees alike is that the Administration has not fashioned policies. There is nothing that they would call a policy toward the Soviet Union, China, the Middle East or most other parts of the world, they say.

Most of the officials who make these criticisms expressed support for the thrust of Mr. Reagan's national security policies and most of them found the clarity of the President's goals and the general political skills of the White House team refreshing as compared with those of the Carter Administration.

At the same time, they believe that there has been more than the usual amount of delays, mixed signals and policy voids. If the situation persists, they say, the Administration is bound to lose the confidence of foreign leaders that is vital to the conduct of diplomacy.

The picture that emerges from the interviews with the national security hierarchy of the Administration is this:

President Reagan is said to be able to command support and unity from his principal subordinates, unlike many of his recent predecessors, when he makes clear-cut decisions, but he does not make many and his involvement is episodic.

ALLEN IN A SECONDARY ROLE

Mr. Allen, the national security adviser, and his assistants now play a clearly secondary staff role and not the traditional role of adjudicators and coordinators of different departmental views. With some notable exceptions, Mr. Allen's staff is seen by other

officials as bureaucratically unskilled and highly ideological.

Mr. Allen's role was described by Mr. Meese as that of "note-taker" in the new and important National Security Planning Group, where the politics of national security policy is freely discussed. This is an informal group, similar in composition to the National Security Council but without the presence of the Chairman of the Joint Chiefs of Staff or any staff aides.

Secretary of State Haig is described as in a kind of nether world, stronger than in the early days of the Administration but still uncertain of his political standing, free to run diplomacy but at the end of a very short tether. Aides say that he raised only perfunctory objections to the recent deal to sell a large amount of grain to the Soviet Union, whereas at the outset of the Administration he put up a major fight to prevent the lifting of the grain embargo imposed by President Carter.

Mr. Weinberger, always able to get the President's ear, is free to make defense decisions on a long rope and is even permitted to speak freely on foreign policy questions. He can make decisions on matters such as the deployment of sea-launched cruise missiles, an issue of great political importance in NATO, with almost no State Department involvement.

MORE POWER FOR C.I.A. CHIEF

William J. Casey, the director of Central Intelligence, who is now a full member of the Cabinet, has reached well beyond the role of simply providing intelligence estimates, and offers recommendations on a wide range of policy issues. Mr. Meese called him "virtually a full partner."

Mr. Meese is said to have a veto power and to be a kind of traffic policeman, but in the judgment of those who work with and around him, he does not have the background, the time or the staff to run the system on a day-to-day basis. However, they say, he will not delegate the power to anyone else.

Mr. Meese said: "Guys would come in like Bill Clark, who is not used to all this baloney here, and Bill Casey and Cap's guys, and they all said, 'We are tired of wasting meetings where you have got 47 people haggling over commas,' and therefore we have tried to streamline this whole process." William P. Clark is the Deputy Secretary of State, and "Cap" is Mr. Weinberger's nickname.

In the view of a high-ranking Pentagon official with long experience in Washington: "The White House understands the weaknesses but not the strengths of a bureaucracy. It cannot innovate, but it can prevent errors and it can tell you what things are supposed to fit together."

MANEUVERING REPORTED

Frustration within the upper layers of the Administration over the management of foreign and defense policies is now so widespread that, key officials say, serious maneuvering has begun to change the system and, perhaps, some of its personalities.

In this maneuvering, key Administration officials are talking very cautiously to legislators, friends and journalists about the problems. The aim is to build up pressure for change. "Maybe a news story will help it along," one senior official said.

Officials do not describe the situation as a feud or a battle, but they say a kind of gentle tugging and talking is under way between Mr. Baker and his friends and allies, who feel that the White House staff should play a more direct and authoritative role in coordinating policy, and Mr. Meese and a few other intimate associates of Mr. Reagan who believe that the system is fundamentally sound.

HAIG FINDS "CACOPHONY OF VOICES"

Several weeks ago, Mr. Haig was asked by a correspondent for The Washington Post what he thought about Mr. Weinberger's repeated statements on foreign policy.

He answered: "If you're asking me would I like to see greater discipline in that regard, my answer is yes. But I don't focus it on Cap Weinberger. I focus on the cacophony of voices."

This cacophony is found "throughout the Administration," he said. "I think we have to tighten up," he declared. Asked who had to tighten up, Mr. Haig responded, "Well, I think the President."

Other than in this one instance, those who talk about the need for a new system do so very carefully. As they make clear in interviews, they do not know where Mr. Reagan stands, they both respect and fear Mr. Meese and his reaction, and some are concerned that reorganization might mean less power for themselves.

SYSTEM IS HIGHLY INFORMAL

The system is pictured as a highly informal, word-of-mouth one, riddled with somewhat more than the usual number of personality conflicts but with somewhat less than the usual differences over philosophy.

Following is an example of how the current system operates and what impact it has had.

On Inauguration Day, Mr. Haig prepared a memorandum designed to carry out Mr. Reagan's campaign pledge to downgrade the role of the national security adviser and make the Secretary of State the pre-eminent power below the President. The memorandum was given the title "National Security Decision Document 2," in the new nomenclature for Presidential decision memorandums. Almost nine months later, it still has not been signed and issued.

Asked about this, Mr. Meese replied, "For us, the practice is the important thing with the system, and the paper is the necessary recording for historical purposes but not for 'operational purposes.'"

The much-talked-about crisis management committee that figured prominently in the Haig memorandum has never convened, according to officials. Several months ago Mr. Haig virtually threatened to resign if he were not made head of this committee. Mr. Reagan ostentatiously rebuffed his Secretary and gave the committee chairmanship to Vice President George Bush.

COMMITTEE MANAGEMENT SHIFTED

What has evolved in accordance with the Haig memorandum is a series of interdepartmental committees, largely run by the State Department, that had previously been managed for the last dozen years by members of the National Security Council staff.

Over those years, the practice was to raise to the Cabinet level issues that could not or should not be resolved at the assistant secretary and bureaucratic level. Meetings were to be held under the chairmanship of the national security adviser or the Secretary of State or Secretary of Defense. Under the current system, the next level above the senior interdepartmental group is the highest level, the National Security Council itself, presided over by the President.

There is nothing comparable to the Cabinet committees that exist on the domestic side of the Reagan Administration, such as the economics committee headed by Treasury Secretary Donald T. Regan and the energy committee headed by Interior Secretary James G. Watt.

Even the National Security Council forum itself, however, proved too formal for the President and his principal advisers. About

two months ago, Mr. Reagan established the National Security Planning Group. As explained by several high-ranking Administration officials the purposes of this body is to enable the President to discuss matters completely freely with those who share his political perspective.

NO FORMAL MEMORANDUM

The only members are Mr. Bush, Mr. Haig, Mr. Weinberger, Mr. Casey, Mr. Meese, Mr. Baker, Michael K. Deaver, deputy chief of the White House staff and Mr. Allen as notetaker and participant, with Mr. Reagan presiding. There is no memorandum that formally establishes the group's membership or charter.

This group is similar to the informal Tuesday lunch group that functioned under President Lyndon B. Johnson and the Friday breakfast group of President Carter, only larger. In explanation, one member of the National Security Council said, "Since no one is in charge under the President, everyone has to be there."

Mr. Meese said that the current structure left Mr. Haig as "the principal developer of options" and "the principal player" in public statements of policy. Most others who were interviewed expressed the opinion that the system worked to hold both Mr. Allen and Mr. Haig in check, and had been designed largely by and for Mr. Meese.

Mr. Meese said that the purpose was to create a collegial atmosphere and a balance of power among the principal advisers, to permit everyone to have a say and a chance to hear others, and then to let the President decide. The President and his top advisers, and not the bureaucracy, would shape the issues and the timing in dealing with them, he said. By all accounts, this is what has been happening.

CONFLICTS ACCENTUATED

The other side of the coin has been that the structure accentuates the gaps and conflicts that are bound to exist between the professional bureaucracy and the White House and within the bureaucracy itself.

A bureaucracy is designed to run in an orderly, regularized way, with minutes of meetings kept and formal records of decisions. By all accounts, the Reagan Administration runs by the lights of the few top officials and pays little attention to paper.

According to Administration officials, there have been only 12 National Security Decision Documents or formal Presidential decisions and about the same number of decision memorandums issued for the President by Mr. Allen. This is far below the number of formal decisions reached in any of the last several Administrations. More significant, the memorandums are said to be quite brief, a sentence or two that, according to one senior official, "leaves most things to the imagination."

BASIC POSITIONS UNDEFINED

Moreover, officials said that the Administration had yet to review formally Presidential decisions on almost every national security subject from previous Administrations. This has left the bureaucracy without any authoritative statements of policy on matters ranging from Nicaragua to negotiations on theater nuclear weapons in Europe with the Soviet Union.

Preparations for meetings at the White House are described as erratic. Sometimes there are papers prepared by experts, sometimes not, and sometimes the papers are prepared no more than 12 hours in advance of the meetings. For example, the National Security Planning Group met in July to discuss terrorism and was given a paper that had not even been approved by the relevant as-

sistant secretaries, according to some of those involved.

As participants tell it, this means that White House meetings often occur without agreed papers by key aides and experts on the issues, the facts and the alternatives. For example, some of those involved said that the National Security Council meetings held to prepare Mr. Reagan for the top-level economic conference held in Ottawa in July dealt with several conflicting sets of papers rather than the usual single paper that explained areas of agreement and disagreement.

After such meetings, subordinates rarely see minutes of what has been discussed or a memorandum on decisions. The net effect, according to virtually all those interviewed, is that the participants often return to their departments with more than the usual number of conflicting interpretations of what happened and what was decided.

For example, the National Security Council met in July to discuss policy toward China and Taiwan. The discussion, according to some of those involved, was wide-ranging, but the decision memorandum was two sentences long and dealt merely with the placing of exports to China in a special category, no longer lumping China with other Communist countries. This left all other issues wide open and caused considerable confusion for the Chinese over where the Administration was headed, according to Chinese diplomats.

Behind all this, Mr. Meese said, "we have a highly centralized but participatory decision-making system for policy, and a decentralized system for policy implementation with specific responsibility and accountability." But most of those Administration officials interviewed, along with a number of diplomats and legislators who work with the Administration, said they saw a continuous succession of mixed signals that looked good only if compared with what happened in the Carter Administration.

The list they cite includes the early differences between Mr. Haig and the White House over whether or not to draw the line publicly against Communists in El Salvador; the early skepticism expressed about arms control contrasted with the current avowed interest; the raising of doubts in the minds of European leaders about American sincerity, and the crackdown on sales of technology to the Soviet Union as contrasted with the eagerness to sell grain.

HAIG AND WEINBERGER ROLES

Participants see Mr. Haig and Mr. Weinberger, in particular, as each pursuing his own line on a particular matter until the other calls the issue to the attention of the White House for decision.

Mr. Haig essentially has kept Mr. Weinberger away from such matters as negotiations over independence for South-West Africa, or Namibia, and the mission of Philip C. Habib, the President's special envoy to the Middle East. Mr. Weinberger is said to have been successful in keeping Mr. Haig and his subordinates away from virtually every major decision on the defense budget, most recently from the decisions on new strategic nuclear forces.

Sometimes the operation is said to be so lax that critical policy decisions are not carried out. For example, according to participants, Mr. Reagan decided that Prime Minister Menachem Begin of Israel had to be told that it was imperative to make progress on the question of self-rule for the Palestinians, and that he must understand that the "strategic cooperation" to be offered by the United States to Israel would depend on Israeli acquiescence in the sale of the AWACS radar aircraft to Saudi Arabia. But it was

never clear, officials said, who was to deliver these messages to Mr. Begin.

Thus, when Mr. Begin arrived in Washington in late August, no one told him. After the high-level meetings were over, a Pentagon official was instructed to tell reporters of the American demands. But after Mr. Begin brushed off the resulting news articles, officials said, Secretary Haig was dispatched to New York to deliver the message directly.

Officials said that because of the lack of consistent guidance from the top, there had been endless wrangling on issues within the bureaucracy. They cite the endless words written on prospective talks with Moscow concerning medium-range missiles in Europe, and they all agree that decisions on the substance of the negotiations have yet to be reached.

The delays and mixed signals are generally seen as a direct result of a system that lacks a central coordinating figure and mechanism. As one State Department official explained, "The centrifugal forces are always there in any Administration; they are now more unrestrained, more kaleidoscopic."

But to most of those interviewed, the present system also creates more than the usual bias toward making national security decisions with a high political content. What officials see is a system controlled by two essentially political threesomes: the inside White House trio of Mr. Meese, Mr. Baker and Mr. Deaver, and the outside trio of Mr. Meese, Mr. Weinberger and Mr. Clark, the Deputy Secretary of State, who was formerly Mr. Reagan's chief of staff in California.

These are all persons with basically political backgrounds and close personal allegiance to Mr. Reagan. A number of officials and a wide range of diplomats maintained that the net effect of this was to put a high premium on symbolic gestures and appearances and a relatively low value on substance.

Mr. PELL. Mr. President, I yield 5 minutes of this time to the senior Senator from Washington.

Mr. PERCY. Mr. President, I had promised Senator MATHIAS and he was scheduled at this particular time. I understand he has an engagement.

Mr. JACKSON. This will only take 5 minutes.

Mr. MATHIAS. Let the Senator go ahead, and I shall follow his remarks.

Mr. PERCY. Go ahead.

The PRESIDING OFFICER (Mr. HUMPHREY). The Senator from Washington is recognized.

Mr. JACKSON. Mr. President, there is general agreement on the usefulness of AWACS protection for the Middle East area. The issue is how to structure and manage such AWACS protection in terms of basic U.S. national interests. In fact, we now have our AWACS planes under U.S. Air Force control operating over Saudi Arabia and adjoining areas, and two AWACS planes have recently been deployed to Egypt under U.S. command and control. I strongly support that type of deployment.

However, the administration is proposing to give Saudi Arabia outright control and ownership of AWACS, AIM-9L Sidewinder missiles and other sophisticated technology, including ground radars, data collection and processing equipment, and communications gear.

Mr. President, I believe this proposed sale would seriously risk degrading our

national security, that it does not offer commensurate benefits justifying the taking of those risks, and that it ignores alternatives that are preferable and realistic which would improve the security of both the United States and Saudi Arabia, protect major U.S. defense systems, and reassure our friends and allies.

One such alternative is the continuing use of U.S. AWACS under U.S. Air Force control to provide coverage for the region, operating either from Saudi bases as at present, or from other locations in the region. Another alternative is to structure and manage the AWACS deployment within a cooperative regional security framework.

Of crucial importance are permanent command and control arrangements whereby the United States will be able to protect the technology, assure the appropriate and prudent use of this equipment, and permit full interoperability with allies.

But this proposed sale has no such arrangements.

RISK OF TECHNOLOGY COMPROMISE

Mr. President, the most direct threat to U.S. security from the administration's proposal arises from the risk of compromising the technology embodied in the AWACS and AIM-9L "Sidewinder" missiles.

These systems are the most advanced of their type in our operational inventory. Indeed, as General Jones pointed out, they are the most advanced in the world. In particular, their capabilities far exceed anything that the Soviet forces can field.

Of course, the Soviet Union is working to develop comparable systems. But the Soviet AWACS development program now seems to be much less advanced than our intelligence estimates had predicted a year or two ago.

Both to advance their own systems and to learn how better to oppose ours, the Soviets have a high priority on gaining access to the U.S. equipment.

Through reverse engineering, they could dramatically improve their military and intelligence capabilities in many applications besides AWACS and air-to-air missile technology. Simply by exercising the AWACS radar, they could obtain substantial and significant military advantages.

The administration has insisted that AWACS embodies "textbook, 1960's" technology. These assertions are red herrings. The central issues here involve real military capabilities—fielded systems and operational doctrine. With AWACS and the AIM-9L, we already have in the field capabilities that the Soviet Union is only trying to develop. It is not surprising that the Soviets would devote substantial resources and strenuous effort to acquiring access to these systems.

Where advanced military technology of high interest to our major global adversary is involved, the risk of compromise is increased by any dilution of exclusive, sovereign control by the United States.

That is one reason why we generally restrict the transfer of advanced systems to only the closest and most stable allies. We have to date agreed to transfer AWACS only to NATO—of which we are a member—and only under alliance arrangements that establish joint command and control, substantial U.S. crewing, and overall top command in U.S. hands.

In the case of Saudi Arabia, several factors further increase the risk of technology loss. The anachronistic Saudi governmental structure is grappling with the conflicts of modernization in a society characterized by ethnic and religious cleavages, all within a chaotic regional setting of virulent transnational mass movements. In an effort to purchase security, at least on the basis of one day at a time, members of the Saudi royal family have felt it requisite to divide and separate their armed forces, barter for mercenary troops, import a huge number of foreign workers, heavily fund terrorist organizations, stridently assert their radical credentials, sedulously undercut U.S. peace initiatives, and oppose the Camp David peace process. There is simply no way that the stability of a country with such a volatile chemistry can be confidently assured.

What the Saudis need, if only we could provide it, is the kind of AWACS that gives timely intelligence about what's going on inside their own country—because the real security needs of Saudi Arabia are in the main connected with internal security.

Mr. President, the uncertain future of the House of Saud means there is simply no way that the safety of our most sophisticated and sensitive weaponry can be assured unless the United States retains and exercises responsibility for them.

Close consultations and extensive physical security precautions are altogether insufficient. The Iranians tried the same approach to safeguard the F-14 Phoenix systems, but guards, dogs, and fences did not keep the shah on his throne. When he was overthrown, we lost the F-14 Phoenix and their secrets. It is folly for the administration to propose repeating this blunder with Iran's neighbor and with even more sensitive systems.

OTHER RISKS TO U.S. SECURITY

The administration's proposed sale risks endangering U.S. security in other ways as well.

First, it could easily exacerbate regional instability, thus working to the advantage of the Soviet Union and its de facto terrorist allies. It would create a new element of arms competition among the states of the region, owing to the dramatic escalation in Saudi Arabia's capability to project massive striking force far beyond its borders. It makes no scrap of difference that the administration calls this an air defense package, because there is no technical limitation intrinsic to the AWACS/F-15/AIM-9L/

tanker aircraft systems that prevents them from being used offensively.

Second, the sale could reduce Saudi security and our own by propelling that country even further into the maelstrom of regional conflicts. From the perspective of a number of smaller states in the region, Saudi Arabia is not an entirely benign influence. The distinguished scholar, J. B. Kelly, raises a vital consideration:

How are Bahrain, the United Arab Emirates and the Sultanate of Oman, traditionally the victims of Saudi intimidation and aggression, likely to view the arming of Saudi Arabia by the United States on the scale now in progress? What is the Sultan Qabus of Oman, who is the only Arab ruler to have endorsed the Camp David accords, who has granted the United States facilities in his country (and has been reviled for doing so by the Saudis), and who is still contending with a longstanding Saudi demand for the surrender of territory along Oman's inner frontiers, to think of American consistency, good faith or even perspicacity?

Moreover, more radical states are likely to demand more of a Saudi Arabia that can do more, thanks to its strikingly increased offensive capabilities. Whether it resisted or accommodated those confrontational demands, Saudi Arabia would find itself much less secure than it is today.

Furthermore, the escalation of its arms relationship with the United States could prompt Saudi Arabia further to accommodate increased Soviet ties with other states in the region, in order to counteract charges of having become an American client.

Third, this sale would provide ammunition for those who deride American will and leadership. There are no shared strategic understandings between us and the Saudis that are written down and are available to the American public and the world. We are asked to accept Saudi assurances on crucial matters, but many of those Saudi assurances are secret, not in writing, variously interpreted, and may never exist as signed contracts. As all can readily see, such an approach cannot provide any legal or substantive political protection for U.S. interests.

No wonder, then, that this proposed sale is seen by many as proof of America's weakness, muddle-headedness, and obsequious accommodation to Saudi oil blackmail. This sale, in fact, is a placebo—not policy, not an element of a strategic design.

Fourth, this sale risks making our relations with other countries more difficult by encouraging a competition among friends and allies for sovereign control over AWACS in order to show proof of U.S. regard.

Egypt, for example, faces a much more immediate threat of air attack than does Saudi Arabia, and two AWACS have been deployed there under U.S. command and control. To concede to Egypt's neighboring rival the honor of sovereign control over AWACS would needlessly invite a strain in relations, just as we are striving to protect and build a continuing friendship with Cairo.

NO COMMENSURATE BENEFITS

Finally, Mr. President, the alleged benefits we are supposed to derive from this sale fall far short of making it worthwhile to invite the risks involved. We know, from virtually all testimony, including that from General Jones and Secretary Weinberger, that this sale will not provide Saudi Arabia with the capability to defend against attack by other major regional powers, let alone by the Soviet Union. Substantial assistance would be required from elsewhere.

And yet the terms of this sale are very far away from making U.S. support and reinforcement quicker and more powerful.

We have no Saudi commitments to prepositioning supplies for our Rapid Deployment Forces, to undertaking useful infrastructural development, or to providing host nation support in the event of a crisis.

In fact, we cannot even be sure that in time of crisis Saudi Arabia would permit U.S. access to the country or its facilities. We may think they would, but no written agreement or understanding has been negotiated and signed. The administration claims to be hoping to build a "strategic consensus," but we are far from having anything substantial as yet.

There is clear evidence in too many cases—the peace process, oil pricing, support for terrorists, American efforts to obtain local military facilities—that the Saudis see their interests as quite different from ours.

In sum, the maxim governing this proposed sale seems to be: "Ask not what Saudi Arabia can do for you, but what you can do for the Saudis."

We have vital interests in this region, but our strategic posture for defending them is still rudimentary. The urgent and complex task before us is to shape and nurture developments that will advance the interests of the United States and those of our friends and allies.

In the face of the profound uncertainty afflicting this region's future, prudent counsel would caution against premature massive commitments that are not protected by formal agreements. Here more than anywhere, a sale must not substitute for policy.

ALTERNATIVES EXIST

Mr. President, the tragedy here is that we need not have been put in this position. As I have already indicated, there are realistic alternatives which would increase our security and help deter attacks on Saudi Arabia, without courting the compromise or loss of major U.S. defense systems, and without threatening other friends and allies.

Of central importance are permanent command and control arrangements whereby the United States will be able to assure that this equipment will neither be lost, compromised, nor misused and directed against other pro-Western states in the region.

Done in the right way, with joint responsibilities and firm, written agreements with the Saudis on shared inter-

ests, an AWACS presence in Saudi Arabia and further support for Saudi air defense programs would clearly demonstrate American determination to protect vital Western interests with credible military forces.

Mr. President, I urge support for the resolution of disapproval.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Who yields time?

Mr. PERCY. Mr. President, I yield 25 minutes to the Senator from Maryland.

Mr. MATHIAS. I thank the distinguished Chairman of the Foreign Relations Committee.

Mr. President, there is not a single American who reads the newspapers, listens to radio, or watches television who does not know that today the Senate will vote on the proposal to sell to Saudi Arabia a package of AWACS aircraft, aerial refueling aircraft, AIM-9L missiles, and conformal fuel tanks for the F-15 planes that we have previously agreed to sell.

This package presents the Senate with what I believe is one of the most difficult decisions that has faced us in the 20 years that I have served here on Capitol Hill; difficult because I have to concede that there are strong arguments both in favor of it and in opposition to it.

I think that a decision either way must admit the merits of the opposing case.

I do not know anyone in the Senate who has looked forward to today with pleasure, who enjoys the prospect of having to make this decision. But in fact, we are elected to make decisions, and so we must decide.

I think this decision is more difficult for those of us who participated in the 1978 decision to sell aircraft in a "package" for Israel, Saudi Arabia, and Egypt. We recall that at that time Harold Brown, then the Secretary of Defense, wrote a letter to John Sparkman, our distinguished friend and colleague, who was then the chairman of the Foreign Relations Committee, and in that letter Secretary Brown said:

Saudi Arabia has not requested nor do we intend to provide any other systems or armaments that could increase the range or enhance the ground attack capability of the F-15.

Those were his exact words. That was a commitment made by the executive branch to Congress. It was a commitment that was important to me, and I am sure it was important to a number of other Senators, and it was a factor in our decision to vote in favor of the 1978 arms package.

The Reagan administration now says that the changes that have occurred in the Middle East have been so profound that they mandate some alterations in this commitment.

This was a commitment made by the executive branch to Congress.

It is, therefore, proper that it should not be altered except by congressional action and, of course, that is implicit in the decision we are going to make today. That is part of what we are going to decide today, whether the circumstances

have so changed that we should change that commitment.

There have been profound alterations in the Middle East since May of 1978. Iran was then viewed as a stabilizing force in the region. Today Iran is in chaos. It is engaged in a war with Iraq. It has within the past several weeks attacked another neighbor, Kuwait.

At this moment there are about 85,000 troops of the Soviet Union occupying Afghanistan. There are over 2 million refugees from Afghanistan now in Pakistan.

We have Soviet strike aircraft much closer to the Persian Gulf than they were 3 years ago, and we were concerned 3 years ago with the gradual encirclement of the Middle East by forces that were either directly commanded by the Soviet Union or that could be influenced by the Soviet Union.

It gives me a personal sense of regret to note that President Sadat, an ally of the United States, a friend of many of us, is now dead. His influence and his positive leadership are no longer available and, of course, all across this region there hangs the shadow of Colonel Qadhafi.

It is therefore, not an exaggeration to say that the survival of the West may be affected by the decisions that the United States takes in the years ahead with respect to our relationships in the Middle East.

It is a fact, not a very happy fact, that roughly 50 percent of the oil our allies in Europe use comes from the Persian Gulf. We recall that the Persian Gulf lies within a rather narrow circle, the eastern border of which is Iran, a nation which is fully capable of being a threat to all of its neighbors.

The challenge that we face as the Nation, which is proclaimed as the leader of the free world, is how to structure a strategic policy which responds to these dramatic changes that have taken place in the Middle East.

Certainly a solid relationship with the Kingdom of Saudi Arabia must be an integral part of this broad strategic approach.

I do not say this because I approve of all of the policies of the Saudi Government or because I endorse all of the statements that are made by officials of the Saudi Government. On the contrary, I very much regret the failure of Saudi Arabia to support the Camp David process. I regret the subsidy, the dole, which is made available by the government in Riyadh for the Palestine Liberation Organization.

I do say this because I think we also have to consider how our interests might be affected by a replacement of the present regime in Saudi Arabia by some other regime, headed by a Saudi Qadhafi or a religious fanatic like Khomeini. I think before we criticize the Saudis too harshly we ought to look at the political realities of that region.

I also say it because in a number of areas the interests of the United States and Saudi Arabia have coincided. The

Saudis played a critical role in the recent achievement of a cease-fire in Lebanon. It was in their interest and it was in our interest, but it was important that we have a common interest there.

The Saudis work actively to combat the spread of Soviet influence throughout the Middle East, and their efforts have contributed to the decisions of the leaders of Egypt, Sudan, and Somalia to reduce their ties with Moscow. It was in their interest, it was in our interest; it was a common interest.

In addition, Saudi Arabia provides financial assistance to friends of the United States, to countries like Turkey, Morocco, Pakistan, Oman, Jordan, Sudan, Somalia. This assistance is being provided at a time when we are reducing foreign aid. They are picking up some of the burden. It is in our mutual interest that they do so.

I have to wonder what possible influence we can have on Saudi policies with which we disagree if we are not responsive to their perceptions of the threats to their security and to their country?

President Sadat is quoted as having said that he would never have taken the risk of concluding peace with Israel if his confidence in the American connection had not been strengthened and reinforced by our approval of the 1978 plane package.

So, we are left with the question as to whether this sale of AWACS and the other equipment enhances Saudi security and whether in doing so it promotes our interests, the interests of the United States of America. I believe that it does so because I think it will better permit the Saudis to respond to an attack from Iraq or Iran on the oil facilities in the Persian Gulf.

The warning time provided by the AWACS could be crucial in responding to exactly the sort of air raid that the Iranians recently launched on Kuwait.

The F-15 enhancement package as well will make a contribution to Saudi defense needs in the Gulf region.

Of course, there are other potential threats to Saudi oil installations, but the Saudis are going to have to develop responses to these other dangers.

I doubt that this analysis goes far enough however, because there are two important objections that have been raised to the transfer. One is the risk of compromise of American technology and, second, the risk to our friend, to our ally in the area, the State of Israel.

I have spent a lot of time in recent weeks examining these issues. I recognize that there can be differences of opinion with respect to them, but I am persuaded that the legitimate concerns that have been raised by those who question this sale have been answered. Let me be very brief and very specific in examining these two questions.

First, with respect to the security of Israel: A prudent leader of the State of Israel, of course, has to take account of any improvement, in the military

capability of any neighboring Arab State. To do so would be a primary requirement within Israel.

But it must be remembered, first that the United States has been and remains committed to the security of Israel and, specifically, to the proposition that Israel must remain militarily superior not only over any neighbor but over any combination of neighbors. Second, Israel's ultimate security and prospect for a peace settlement depend in large measure on the ability of the United States to exercise influence and leverage with moderate Arab States.

Furthermore, specific precautions have been taken to insure that this sale does not pose a significant threat to Israel. Technology critical to the offensive use of AWACS will not be provided to Saudi Arabia. Saudi Arabia may not, without the approval of the United States, operate AWACS outside of its own air space, share its AWACS data with other countries, or permit third country modification of the AWACS aircraft. These are important agreements.

The President's letter to the Senate today details these and other assurances.

Finally, the Saudis will have an ongoing requirement for spare parts, for U.S. maintenance experts, for accessories and replacements. Therefore, there will have to be a continuing participation by the United States in the Saudi utilization of this equipment. That participation can be withdrawn if the equipment is not used for legitimate defense purposes.

Mr. President, let me now turn to the question of the security of U.S. technology. The distinguished minority leader of the Senate, the Senator from West Virginia, mentioned this subject at some length in his recent thoughtful statement. He concluded, as I concluded, that there is no unacceptable risk.

Certainly, we should not put our high technology at an unnecessary risk. And there are certainly questions that are raised by knowledgeable people that cannot be answered ultimately and finally.

We have to make a judgment. And it is the judgment of our senior military leaders that we should proceed with the sale. That is the judgment, as well, of the current Secretary of Defense and the immediate past Secretary of Defense. It is the judgment of outside experts I have contacted who believe that the risks posed by the possible compromise of this equipment are not critical.

Therefore, today we will make a decision of great consequence for our national security. I have come to the judgment that our security will be strengthened by the approval of the sale.

That does not mean that I do not recognize and I do not respect those who have reached a different conclusion. I think it is useful and proper that we should have debated the merits of the sale, not only here within the Capitol but all across the Nation. I think that our country is strengthened by such a debate.

But, Mr. President, once this decision is taken, I hope we can forget the differences that we have had on this subject. I hope there will be no attempt to identify the motivations of people who have taken different sides on this issue.

I hope that we can come together to execute the decision, and proceed to elaborate a strategy through which we can deal with the problems of the Middle East. I hope, as well, that we can turn our attention to the many other urgent foreign and domestic policy issues that are crowding the agenda of the Senate and the Nation.

I reserve the remainder of my time.

Mr. PERCY. Mr. President, I would like to thank my distinguished colleague from Maryland for a thoughtful and powerful statement. He is one of the most conscientious and hard-working members of the Foreign Relations Committee.

I concur completely with the conclusions he has reached. I do hope they will have an impact on the Members of the Senate who have not made a declared intention as to how they will vote. I am very grateful to Senators that were on the floor at the time of his statement.

Mr. MATHIAS. I thank the chairman of the Foreign Relations Committee.

The PRESIDING OFFICER. Who yields time.

Mr. PELL. At this time, I yield 5 minutes to the Senator from Connecticut.

Mr. WEICKER. Mr. President, I rise in opposition to the proposed sale of AWACS and a package of offensive weaponry to Saudi Arabia.

Much to my regret, this issue of arms sales to the Saudis resembles the mythical serpent with nine heads, each of which when cut off grew back as two. In a similar fashion, this issue keeps coming back to haunt us, just when we think we have laid it to rest.

In 1978, together with 43 of my colleagues, I opposed selling the Saudis 62 F-15 aircraft. The Carter administration narrowly secured approval of that sale only after Defense Secretary Harold Brown solemnly assured us that Saudi Arabia would not receive additional equipment to enhance the fighters' offensive capabilities. When in 1980 it appeared that the administration might renege on that understanding and try to sell such equipment and AWACS to the Saudis, I was 1 of 68 Senators who cosigned a letter counseling the President against such a betrayal.

Enter the Reagan administration with a chance to fashion a more sensible arms sale policy. Hoping for a successful preemptive strike, in February of this year, members of the Senate Foreign Relations Committee and the House Foreign Affairs Committee dispatched letters to President Reagan and Secretary of State Haig, expressing their reservations regarding further arms for the Saudis.

By June, however, it became clear that this administration was negotiating the

same rut its predecessor had foolishly followed. At that time, 54 Senators, myself among them, sent the President another letter expressing our strong belief that the sale was not in the best interest of the United States and recommending that he refrain from sending this proposal to Congress.

Unfortunately, the President did so anyway, despite dozens of red flags from Congress. So much for advice. Now the administration is seeking our consent. I urge my colleagues to withhold it.

One of the most misleading arguments advanced by the sale's proponents is that those of us on the other side of the issue are sabotaging the President's power to set foreign policy and, as a result, weakening America's standing in the world. That kind of rhetoric is off-base and off the constitutional mark.

The fact is that the Congress of the United States, and in particular the Senate, has independent constitutional authority to shape our Nation's foreign relations. Section 2 of article 2 clearly stipulates the right and responsibility of the Senate to provide the Executive with advice and consent. As I have shown, our foreign policy regarding arms sales to the Saudis to date has been peppered with unheeded advice and extremely reluctant consent.

Mr. President, the arguments for and against the sale are familiar to us all. Most have focused on the AWACS portion of the package. The administration would have us believe that these extremely sophisticated radar planes will be stripped of their most lethal powers and that the rest of the sale consists of nothing more than a few spare parts of harmless hardware.

Neither the AWACS nor the F-15 enhancement alone are as disconcerting as they are in tandem.

The whole of this package is greater than the sum of its parts. Additional fuel tanks and 6 KC-707 aerial tankers for refueling in flight would enable those F-15's already in Saudi hands to travel farther and stay longer; 1,177 Sidewinder air-to-air missiles would also greatly increase the planes' destructive capacity.

Add to this the superlative command and control capability of AWACS aircraft and you have a powerful and fully integrated offensive system.

There should be no illusions, Mr. President, that such a move can be made without undermining the security of Israel. We would be foolish and naive to assert that we can predict how arms we sell today will be used 5 years from now.

Israel is a tiny country. She does not have great land areas to retreat into when she fights. She does not have a large population to expend in a war of attrition. She must, therefore, respond instantaneously and overwhelmingly when attacked: All the more so if she faces 62 offensively configured F-15's with support of AWACS aircraft.

The tragic experience of this Nation's relationship with Iran should raise compelling questions as to the wisdom of proceeding on course. In the seventies it

was Iran which by virtue of sophisticated American arms was to be the bulwark against Soviet expansion.

We were assured then, as we are being assured now, that sophisticated military technology would be in trustworthy and stable hands.

It is only because of the opposition of this body that AWACS aircraft are not now part of the arsenal at the disposal of the Ayatollah Khomeini and company, the technology of which has now been compromised. The Saudi monarchy faces the same threat which eventually dethroned the shah: A religiously inspired rebellion, against which military hardware is useless.

Moreover, integration of this new military technology may distract the Saudi leadership from its more realistic concern, and increase its vulnerability.

Apparently, Mr. President, this arms sale is in part supposed to show our appreciation for the alleged moderating influence the Saudis exert on Middle East politics and oil pricing. As for the oil, I do not believe the Saudis have done anything for the United States that was not primarily in their own long-term interests. As for the politics, the Saudis refused to back the Camp David peace process or endorse the treaty which was its end result. Furthermore, Saudi Arabia bankrolls the PLO to the tune of \$1 million per day, and in the event of some confrontation, it would be hard pressed to share its AWACS intelligence with radical Arab States still bent on Israel's destruction.

Mr. President, it is not easy to vote in favor of this resolution. The consequences of rejection are serious both in terms of our relations with the Saudi's and the perception of America's foreign policy. But the responsibility for those consequences are not ours alone, Mr. President.

The advice of the Congress against the sale, diligently and repeatedly expressed, was rejected; the only option remaining is to exercise our constitutional responsibility to withhold our consent.

Mr. PELL. Mr. President, I yield at this time to the Senator from Arkansas.

Mr. BUMPERS. Mr. President, I would have announced my opposition to the proposed sale of high-technology weaponry, including AWACS and AIM-9L missiles, to Saudi Arabia much sooner, but in deference to President Reagan's urgent plea to withhold judgment until he or his designees could personally brief Senators, I waited. I listened attentively to the arguments pro and con. I studied and researched every aspect of the proposal as assiduously as I knew how.

I want to emphasize that my decision is based not just on the sale of AWACS, but also on the rest of the package, which has received relatively little public attention.

I have concluded that this sale is not presently in the best interests of the United States and will vote for the resolution.

The President and his representatives have been persuasive and I admire the President's tenacity and zeal in lobbying strenuously for his position.

Had AWACS been the only item in the package, my decision might have been different, though AWACS is the key part of a very high-technology air warning system that we have spent billions of dollars developing.

It is a technology well in advance of its Soviet counterpart, and while I mean absolutely no disrespect to the Saudis, the more of these planes we sell, the higher the risk of its technology falling into Soviet hands. It is true that we are not proposing to sell the Saudis all the technology incorporated in our own AWACS, but we would be selling the great bulk of it. And if the original 1978 sale of F-15's to Saudi Arabia is any precedent, in a couple of years Congress will be asked to consider an "AWACS enhancement package" which would add those capabilities of United States and NATO aircraft currently not proposed for the Saudi aircraft.

In 1978, when the Senate considered the original proposal to sell F-15's to Saudi Arabia, we were provided with very clear assurances about what the United States would not be prepared to sell in the way of future enhancements to these aircraft. For example, in a letter from Secretary of Defense Brown to Senator Sparkman, then chairman of the Senate Foreign Relations Committee, dated May 9, 1978, the Senate was given the following assurances:

The plane requested by Saudi Arabia will not be equipped with the special features that could give it additional range. Specifically, the planes will not have conformal fuel tanks ("fast packs"), i.e., auxiliary fuel tanks that conform to the body of the plane, and Saudi Arabian KC-130 tankers do not have equipment for air refueling of the F-15.

Also, from that same letter:

Saudi Arabia has not requested, nor do we intend to sell any other systems or armaments that could increase the range or enhance the ground-attack capability of the F-15.

Here is one that is even better: In an earlier letter, February 16, 1978, from Assistant Secretary of State Bennett to Congressman LEE HAMILTON, the following statements were made:

The Saudi Air Force is not scheduled to get the AIM-9L all-aspect Sidewinder missile which will be carried on the United States Air Force F-15's.

And:

An F-15 sale will not lead to the sale of E-2S or E-3A (AWACS). The F-15 has an excellent radar. Were the Saudis to purchase an aircraft with less effective radar than the F-15, they would be more than likely to seek an airborne radar system.

Mr. President, it was only with the understanding that these restrictions would remain in force that I overcame my long-standing and deep-seated objections to the transfer of advanced American weapons and technology and voted in favor of the sale of F-15's to Saudi Arabia.

Now, just 3 years later, Congress is told that things have changed so dramatically—that the threat in the Middle East is so great—that not only must these assurances be torn up and thrown away, but that we must approve the transfer of our most sophisticated airborne radar system without even the command and control arrangements we have demanded and received from our closest NATO allies as a condition for the sale of AWACS.

Although the security situation in the Arabian Gulf and the Indian Ocean has become more serious since the fall of the Shah, I am not convinced that the provision of AWACS without joint United States-Saudi command and control will enhance Saudi and gulf security or insure that American interests in the region will be advanced over the long haul. We never seem to learn that our weapons usually last longer than our friendships.

It has been said that the AWACS does not have an offensive capability, and therefore it constitutes no threat to Israel. First, it depends on how the operator chooses to use it. From inside the borders of Saudi Arabia, AWACS could pick out virtually every plane taking off and landing in Israel, and could guide planes to intercept them. With the enhancement package for the F-15's and the air control guidance system of AWACS, we are guaranteeing a very sophisticated and powerful offensive capability indeed.

Couple AWACS with the sale of fuel tanks for the F-15 fighters, which give them the range to reach every part of Israel, and almost 1,200 AIM-9L Sidewinders, which represent about 25 percent of the entire current U.S. inventory of these highly sophisticated air-to-air missiles, and almost 20 missiles for each Saudi F-15, and the result is a powerful offensive capability. The Sidewinder is the missile recently used by U.S. pilots to down two Libyan fighters.

The Saudis have been our friends for many years, and our relationship has improved measurably in the last several years. I hope this friendship will continue. But the Saudis have not supported our efforts to stabilize the area through the Camp David accords, and indeed have financed organizations such as the PLO which have violently resisted Egypt's courageous efforts to achieve peace in the area.

We share many interests with Saudi Arabia in the area, especially the common defense of the oilfields, and thwarting efforts by the Soviets to increase their political, economic, and military influence. To this end, the United States has supplied Saudi Arabia with more than \$35 billion in military goods and services since 1950, including 110 F-5 fighters; 62 F-15 fighters; over 100 M-60 tanks; 140,000 rounds of mortar, howitzer, and tank gun ammunition; 3,400 laser-guided bombs; and much more. So it is not as though we have been indifferent to Saudi Arabia's defense.

In addition, it was Carter's doctrine, and now Reagan's that any outside intervention that would threaten oil supplies from the Persian Gulf region would bring a quick and decisive response from the United States.

We also share with the Saudis a concern about Israel's annexation of the West Bank and the building of settlements there. These actions also make our efforts to achieve stability more difficult.

It would be irresponsible to cast a vote based on a fear of Saudi retribution. Many have expressed a fear that they will cut back production, or raise prices, or both, if this sale is not approved. I do not believe this, and certainly I do not think any of these actions would be to their advantage. Such actions would only benefit the Soviets, and would automatically be detrimental to the Saudis.

On the other side of the coin, it should be pointed out that approval of the sale would not likely bring any relief in oil pricing either. The Congress approved the sale of 62 F-15's to the Saudis in May 1978 and within 20 months OPEC oil prices escalated from \$13.65 per barrel to \$28.30 per barrel. I would also point out that if the Saudis raise their price by only 50 cents per barrel, they would receive enough income to pay for this entire package by the time the first delivery is made. That figure is \$8.2 billion.

The death of Anwar Sadat leaves us in a tenuous situation in the Middle East and only time will tell the extent and intensity of the opposition to the ruling powers in Egypt. We all pray that Egypt will remain a stable, steady, and reliable ally. When that determination can be made with some assurance, perhaps this proposal, with modifications, can be re-submitted.

Finally, I regret that the debate on this issue has not been a high-level one. Substantive discussion has been subordinated to personal and political considerations. I say that not in an accusatory way, nor to suggest one side has been more guilty than the other. I say it with a degree of sadness, because I believe in an evenhanded policy in the Middle East. I know of few Senators who are entirely comfortable with their decision. As I said, it is a close call and history will reveal which side was correct.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, I yield 5 minutes to the Senator from Colorado (Mr. HART).

Mr. HART. I thank the distinguished Senator from Rhode Island.

Mr. President, today's vote marks the culmination of more than 8 months' debate of the proposed AWACS and F-15 enhancement sale to Saudi Arabia. The decision the Senate makes today is a vital one, the importance of which cannot be underestimated.

Before we vote on this issue, it is essential that we pause for a moment to reflect on the appropriate role of the Congress in this matter. Unfortunately, what appears to be one of the most persuasive arguments made in recent days

by those who support the sale is one of the weakest and one of the most disturbing: That the sale must be approved so that Congress does not undermine the President's authority in international affairs and his ability to conduct foreign policy.

Our system of government and our laws make Congress a full partner in foreign policy. We jeopardize the soundness of our Nation's foreign policy decisionmaking process if we abdicate the responsibilities which our partnership entails. The Founding Fathers probably never conceived of a piece of equipment like the AWACS being invented, but they did foresee situations in foreign affairs where the executive and legislative branches would need to share responsibility, and the "advise and consent" of the Senate became a reality.

It became a reality in their minds because of that necessity.

In 1974, Congress updated the concept with enactment of the legislative veto of arms exports. This was an expression of congressional concern at the growth of arms sales and their subsequent impact as a tool of American foreign policy. Since its enactment, the Senate has not exercised this authority, but has used it to modify Executive arms proposals and obtain reassurances enabling the sales to proceed. Today, I believe it is necessary for the Senate to use its veto power in the best interests of this Nation.

It is unfortunate that some have called into question the motivation of those who oppose this sale. Opponents of the sale in the House and the Senate represent both political parties and are as concerned about the national interest as those supporting it.

The responsibility for the failure of our Government to speak with one voice on this arms package lies not with the Senate but with the President. President Reagan's concern about being embarrassed if the sale is defeated is a legitimate one, but he should have thought of that before making a solid commitment to Saudi Arabia—without consultation with Congress or any of its appropriate committees, without any public discussion, and without consultation with our allies. The President's responsibility is to build consensus on foreign policy issues, not to issue "take it or leave it" ultimatums.

The fact is that the administration has failed to make a compelling case for the sale on its own merits. To say that the President's authority will be diminished if the sale is defeated is a poor and unacceptable substitute.

Despite all the rhetoric we have heard during this debate, the President will not be crippled in carrying out his foreign policy responsibilities if the Senate votes against the AWACS and F-15 enhancement package. Saudi Arabia has dealt with the United States often enough by now to know that by law the President alone cannot commit the United States to such large arms sales without the support of Congress. As recently as 1978, Saudi Arabia was made very much aware of American procedures during the debates on the sale of the 60 F-15's.

Mr. President, another lesson to be learned from this debate is that the President has the responsibility to outline the general foreign policy context into which an arms sales decision such as AWACS clearly fits. Congress difficulty with the AWACS sale does not result from a single error but rather from the administration's consistent failure to articulate coherent foreign policies. The President continues to rely excessively on weapons as a substitute for diplomacy. Such reliance undermines any effort to achieve a coordinated foreign policy.

Mr. President, the arguments I have made against the sale over the past few months can be summarized by examining the contradictions which have emerged in the administration's own arguments on behalf of its proposal. For example, the State Department argues that the proposed sale would strengthen our hand in the Persian Gulf relative to the Soviet Union. Yet we offer the Soviets a potential windfall in military intelligence through the possible compromise of the AWACS technology that we risk by entrusting such sophisticated equipment to a government whose likely source of instability is domestic not from across Transcaucasia.

The administration's intention of preparing the Saudi Government to defend against external threats will be frustrated by the AWACS sale, which prepares the Saudis for the wrong threat. The most likely threats to Saudi Arabia are internal disorder or rebellion and guerrilla warfare, encouraged and supported by its neighbors. The Saudis do not need AWACS nearly as much as they need other forms of military equipment and training.

Given the present conditions in the Middle East, there are legitimate grounds for concern about the internal stability of Saudi Arabia. Saudi Arabia is beset by the natural tensions arising from rapid modernization in a traditional society, religious versus secular demands, the quick accumulation of vast wealth, problems of illiteracy, and the need for foreign labor. All are fertile grounds for instability.

There are also contradictions between the stated intentions of the United States and Saudi Arabia as to what the planes should be used for. For example, the June 29, 1981, Wall Street Journal quoted a Saudi prince as saying:

If Saudi Arabia is allowed to buy AWACS radar planes, it will reserve the right to use them as it sees fit to defend against any enemy, especially Israel.

He clearly contradicted the administration's argument that the planes would be used primarily to defend the Saudi oilfields. The Government of Saudi Arabia refuses to agree with the administration viewpoint that the Soviet Union is a greater threat to their country than Israel.

We should also be concerned over the implications of the sale for escalating the arms race. And burdening Israel's economy with even greater requirements for arms to meet the new military situation means a further economic struggle

for an ally already overwhelmed by high defense costs. Those opposed to the AWACS sale believe that a strong Israel is in the national security interests of our own Nation; the implication that one must choose between Reagan or Begin is a ludicrous one, unworthy of the sales supporters.

Another compelling argument against the sale is that it is based on the false premise that Saudi Arabia is willing and able to serve as the linchpin of a defensive system for the Persian Gulf. As J. B. Kelly pointed out in the Wall Street Journal last week, all the evidence is to the contrary.

The Saudis have no vital stake in friendship with the United States. Their greatest interest is in their own survival, and clear alliance with the West will not help that cause. And they have a religious duty to oppose American bases in Saudi Arabia that arms sales cannot change, despite administration hints to the contrary.

In addition, the consequences of strengthening Saudi Arabia militarily may be severe. It may encourage the Saudis to renew their historical territorial ambitions in the Middle East. And if oil prices continue to fall, the Saudis, if heavily armed might be tempted to coerce smaller Gulf States into cutting their oil production—or even attempt military action.

Finally, when talking about the sale, the term AWACS has come to be used as a convenient shorthand abbreviation for the whole arms package. However, it would be dangerous to ignore the fact that much more than the airborne warning and control system is involved in the sale. When one worries about the compromise of sophisticated, sensitive systems, one thinks about the AIM-9L Sidewinder missiles, the conformal fuel tanks, the refueling aircraft—all of which stretch the offensive capabilities of Saudi Arabia while risking the loss of advanced U.S. technology to our enemies.

When I opposed the original sale of the F-15's to the Saudis in 1978, I stated as my guiding principle that any foreign policy action we take in the Middle East must advance, rather than retard, the chances for peace between Israel and the Arab States. That same principle underlies my opposition to the administration's proposal to sell the Saudis the F-15 enhancement equipment. At the time of the original sale our Government pledged that the F-15's would never be so equipped. Because the proposed arms sale represents a major shift in U.S. policy and commitment, the burden of proof on how this sale will advance the prospects of peace must be on those who advocate it. They have not convinced me these sales will serve the interests of the United States.

Mr. President, whatever the outcome of this vote we have a responsibility to move forward in working for a peaceful and stable Middle East.

Saudi Arabia is a friend and we share common security concerns. We must not forget, however, that the arms we are giving her are being introduced into an

environment in which there has been no progress toward alleviating tensions between Israel and its neighbors.

And as important as the Saudi oil fields are to the United States and our allies, we should not submit to veiled threats or potential blackmail on that score. It is ironic that while official U.S. spokesmen signal willingness to risk war for oil, the administration is pursuing energy policies which actually will increase our dependence on oil imports, rather than reduce it. Dramatic changes in our energy policy over the last few months have meant that programs to promote conservation, renewable energy sources and even domestically produced fossil fuels have been cut to the bone.

For the first time since the 1973 Arab oil embargo, reducing oil imports is not the centerpiece of U.S. energy policy. Yet, if our Nation were energy independent, we would not have to worry about protecting Saudi oilfields with our most sophisticated military technology. If we were energy secure it would not be necessary to increase the arms race in the already unstable Mideast. If we could develop a comprehensive energy policy, it would not be necessary to risk allowing American AWACS to fall into Soviet or other unfriendly hands.

We do our country a disservice if we regard the outcome of today's vote as a win or loss for the administration, a political party or a group of Senators. Regardless of the outcome, everyone concerned will have come out a little bit poorer for the debate, the stridency of the positions, the mutual recriminations hurled at the other side. Now we must move forward to heal the wounds quickly, and mend the rent in the cloth of an American bipartisan approach to foreign policy.

In summary, I plan to vote for the resolution of disapproval against the AWACS sale because I believe that jeopardizing the Middle East peace process through arms escalation, risking a compromise of U.S. technology and increasing the military threat to Israel is not the best way to protect the security of the region against hostile acts. The sale will only add to the region's overall instability, instead of alleviating tensions between Israel and her Arab neighbors.

For the reasons I have outlined, I believe the proposed arms sales do not advance the interests of the United States in the Middle East.

Finally, Mr. President, unfortunately the focus in recent days and hours has been on numbers. Will this pass or will it fail? We have gotten down, unfortunately, to a vote or two.

I would only emphasize that this is not a football game. It is a failure of consensus. If 45 or more U.S. Senators vote against this sale, as they undoubtedly will, it means a failure for this administration and a failure for this President in an effort to forge a meaningful and workable consensus on foreign policy in the most critical region of the world.

Therefore, Mr. President, it does not seem to me to matter all that much whether this sale passes or fails in the long term. The real victim here and the

real failure is the failure of consensus on foreign policy in the Middle East.

Mr. PELL. Mr. President, I yield 5 minutes to the distinguished Senator from New York (Mr. MOYNIHAN).

The Senator has reminded me we had discussed 10 minutes before, but so many Senators have been speaking that we are allowing all speakers 5 minutes. I regret this very much.

Mr. MATHIAS. Perhaps not as much as the Senate, which would be illuminated by the remarks of the distinguished Senator.

Mr. MOYNIHAN. Mr. President, I thank the distinguished leader on our side of this debate and the Senator from Maryland.

Mr. President, earlier today, I received a telephone call of some urgency from Mr. O. Roy Chalk, a prominent American and a member, of course, of my own party. He wished to tell me of his urgent conviction that in the matter of the AWACS sale to Saudi Arabia the President, as he put it, is "Commander in Chief, regardless of party" and ought to be supported. "Anything less than support of the President is," he continued, "a little bit of treason." He assured me I could quote him in this matter, adding that he had expressed the same view to "any number of Senators."

Now a matter which brings forth such strong sentiments clearly must be addressed with care and as much as can be with precision. As has been public knowledge for some time, I cannot support the President in this matter. Yet I do not feel the least treasonous, although that term disposes me just the least little bit to truculence. My mood will pass, but the consequences of our vote today will be with us a long while, and so it is important to set forth the reasons I shall vote as I will do.

They are three, in an ascending order of consequence.

First, it appears to me that there has been a breach of faith on the part of the executive branch of the Government in going forward with a new arms sale in the face of direct and explicit commitments to the contrary made to Congress and the American people to win support for a previous arms sale.

I hasten, with the utmost seriousness, to state that if there has been such a breach of faith—I can no more than state my view that there has—it is the work of the previous administration and not the present one. Everything I know about the present proposal to sell an "air defense enhancement package" to Saudi Arabia suggests that the agreement was entered into by the Carter administration and, in a sense, inherited by the administration of President Reagan. I could be wrong in this, but the belief is widely held and not, to my knowledge, disputed by those in a position to do so.

Senators will remember the intense debate we had in 1978 with respect to the initial sale of F-15's to Saudi Arabia. These, we were assured by the Carter administration, would be purely defensive weapons. To underline that fact De-

fense Secretary Brown wrote us on May 9, 1978:

"The F-15 we plan to sell to Saudi Arabia will have the same configurations as the interceptor model approved for the United States Air Force.

"The plane requested by Saudi Arabia will not be equipped with the special features that could give it additional range. Specifically, the planes will not have conformal fuel tanks ('fast packs'), i.e., auxiliary fuel tanks that conform to the body of the plane, and Saudi Arabian KC-130 tankers do not have equipment for air refueling of the F-15.

"Saudi Arabia has not requested that the plane be outfitted with multiple ejection racks (MER 200) which would allow the plane to carry a substantial bomb load. The United States will not furnish such MER's.

"Saudi Arabia has not requested, nor do we intend to sell any other systems or armaments that could increase the range or enhance the ground attack capability of the F-15."

A separate letter was sent on February 16, 1978, from Assistant Secretary of State Bennett to Congressman Lee Hamilton in which the following statements were made concerning the AIM-9L and AWACS:

"The Saudi Air Force is not scheduled to get the AIM-9L all-aspect Sidewinder missile which will be carried on the United States Air Force F-15's.

"An F-15 sale will not lead to the sale of E-2C or E-3A (AWACS). The F-15 has an excellent radar. Were the Saudis to purchase an aircraft with less effective radar than the F-15, they would be more than likely to seek an airborne radar system."

These commitments to the Congress are now to be broken. It is painful to think that this will have been the work—furtive, skirting the edges of honor—of those who made them in the first instance. The Senate of the United States should not allow itself to be so used. We are an institution in its 193d year; Saudi Arabia was founded just 49 years ago. Its interests, whatever they may be, cannot come before the concern of the Senate to see that commitments to this body are kept.

This is not to say that changed circumstances do not give rise to the possibility of changed commitments. It is only to state that, in such circumstances, there is a solemn obligation to consult the Senate. This was not done.

Second, I would wish to express my concern that we may very well be setting in motion forces of which we have only the slightest comprehension. It is the first rule of world politics that everything relates to everything, and this is intensely so in the awakening world of Islam, not inappropriately referred to on occasion as the "Nation of Islam."

I have served as an American Ambassador in Western Asia and would like to think I have at least some inkling of the dynamics of that region. Allow me to suggest a scenario:

Pakistan is building a nuclear weapon, very likely with much financial help from Libya, and also from Saudi Arabia. The Pakistanis have close contacts with the Saudis, and already supply much of the technical competence of the Saudi military, it being a common practice in that region for dynasties to engage warriors of distant tribes for their own defense. Or offense. The British in their time mastered this technique.

Pakistan will get its bomb, from Libya, as it were, and 40 F-16 fighter-bombers to deliver the weapon from the United States, if another proposal of the present administration comes to fruition. This creates a strategic nuclear power, lacking only the fighter protection required to strike in any direction on the compass. The Saudi F-15's—with Sidewinder missiles, long-range fuel tanks, and the AWACS command and control guidance function—provide fighter protection. No nation anywhere in the region is any longer secure.

This sequence would take several years, and several coups, but these are plausible, even predictable. It is equally predictable that India will go to war to prevent the final consummation of the nuclear force.

Mr. President, we are as culture bound as any; we think world wars only happen in Western Europe. They can occur, too, in West Asia. The Soviets will be drawn in to aid India; we presumably will have to go in to aid whoever is ruling the bits and pieces of the Arabian Peninsula. Before long, world war could very well be the new, as well as an old fashion.

Third, it is with a sense of despair that I observe the conceptual poverty of the administration's strategy for the region. In the "Eighteenth Brumaire," Marx wrote of the two Napoleons. "History repeats itself," he said. The first time as tragedy, the second time as farce.

Can we not see history repeating itself here?

The idea that Saudi Arabia, a 49-year-old country of four million bedouins, is going to become the pillar of anti-Soviet military power in the Persian Gulf is simply the latest manifestation of the Nixon doctrine, which was doubly doomed from the outset.

The Nixon doctrine, as Senators will recall, was proclaimed as a mode for the exercise of American power. Of course, it was just the opposite. It had become necessary to arrange for other nations to take up arms in defense of our interests only after it became doubtful that Americans themselves would any longer do so. To our further, and continuing, disadvantage, the countries chosen for the task—willing to be chosen—were inevitably flawed. Strong leaders do not enter such arrangements. Weak leaders that do become weaker for having done. And so the list will lengthen: South Vietnam, Iran, now Saudi Arabia.

Bad enough to submit to what seemed the guiding compulsion of the Nixon doctrine—the absence of any alternative—but worse yet was it to conceal the necessity from ourselves. I had hoped that the United States had seen the zenith of this self-delusion in the almost pathetic belief of the Carter administration that one could trust to the kindness of strangers.

Yet the present administration seems as unable to acknowledge that we have few genuine friends in the world, and precious few indeed among the Arab countries. In fact, we do not know much at all about what we do have in the Arab World, or in the Middle East.

If I thought the Secretary of State, the Secretary of Defense, the President's National Security Advisor, pooling their

combined knowledge, could order a cup of coffee in Arabic I would be tempted to vote for this proposal. But I have seen no evidence that this administration has any more clear an idea what it wants to do, what it thinks it can do, in the Middle East than did its predecessor, which first assigned to Israel the role of the nation weak administrators push around to show how tough they are.

Mr. President, the Senate will recall that the 1978 sale of F-15's was meant to insure Saudi gratitude and support for our peacemaking efforts. How foolish that illusion seems in retrospect. I shall not trouble the Senate with what it knows, but might I just recall that, 4 days after Libyan planes attacked ours over the Gulf of Sidra, our act of self-defense was denounced by the Gulf Cooperation Council as an "act of medieval piracy."

Although we know little about this Council, which has not to my knowledge been mentioned in any of the administration's presentations to Congress on this sale, Aviation Week and Space Technology reports in the current issue that the administration's military planning for the Middle East region centers on this Mutual Defense Association, which the Saudis have recently organized and whose headquarters are in Riyadh. We in the Senate know very little about this Council, or the faraway places which make up its ranks, but the administration's experts know this much: We can absolutely depend upon them in a crisis. Though they be strangers. They will be good to us.

Mr. President, can it be that we have brought a new administration to Washington for the purpose of compounding the follies of its predecessors? The gods must weep.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. MATHIAS. Mr. President, I yield 15 minutes to the distinguished Senator from Kansas, the chairman of the Committee on Finance.

Mr. DOLE. Had the Senator completed?

Mr. MOYNIHAN. Mr. President, I yield back my time. I appreciate the Senator's concern.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. DOLE. Mr. President, as have many of my colleagues, I have reflected until a very late hour on the question of the proposed sale of AWACS aircraft and F-15 enhancements to Saudi Arabia. I have wanted to try to take into account all of the factors that should be weighed in our decision on a matter of this magnitude.

In making our decision, I believe we need to keep clearly in view the fundamental interests and objectives of this Nation as a world power—a power not only determined to insure our own security against a wide array of dangers but also responsible, in large measure, for creating the conditions in which other nations who are our friends can aspire to some degree of security for themselves.

To achieve these ends—and especially to provide leadership in a world where both military and political threats from

the Soviet Union loom larger day by day—it is crucial that we restore, among our friends abroad, real confidence that we can conduct coherent and sustained policies that will fulfill our objectives over the long haul.

It is also crucial that we restore abroad the certainty that the American system of separation of powers does not mean that the Government of the United States is incapable of following through on negotiations and commitments that we have undertaken.

In the Middle East, our leadership and our commitments must be directed toward increasing the chances of a peace settlement, toward reinforcing the political stability of the region generally, and toward resisting the expansion of Soviet influence, whether it should come by way of Libya or by way of attempts to exploit the current chaos in Iran or the uncertainties that might enter Egypt's political future.

Mr. President, these objectives are not so difficult for us to agree upon. But in trying to secure these objectives, our choice of means is a very difficult one and the real world does not often offer us the choices we might wish we had.

In the real world, our choice is not between selling AWACS and other equipment to Saudi Arabia or keeping such sophisticated equipment out of a region that we know is, to some degree, unstable. Our choice is between a U.S. sale and the chance to enlarge our political influence in Saudi Arabia and in the region more broadly, or a sale of similar British or French weapons and the certainty that the influence of these countries would replace our own to an important degree.

In the real world, our choice is not between trying to build a closer relationship with the Saudis or relying on some other country or government on the Arab side that would support our policies in the region more fully and openly. There is no such alternative. Moreover, no Arab nation can subordinate itself completely to the United States and still retain the kind of credibility in the region that we in turn hope our partners will have. The Saudis have given some evidence of moderation and good will: We do have the choice whether to try to encourage that tendency or to reject it.

In the real world, finally, our choice is not between this agreement with the Saudis and some other. We may have preferred that negotiations with the Saudis on the sale of AWACS and other equipment had taken a different turn—in particular that the agreements had provided for U.S. participation in command and control arrangements that would have given us more explicit assurance that we could restrict the use of the AWACS aircraft.

But we really cannot turn back the clock. To unravel the negotiations at this stage, imagining that we could achieve a more satisfactory agreement, would profoundly damage the very political relationship with the Saudis that we must try to strengthen. And it would deeply undermine the effort the United States has undertaken, to restore our reliability abroad, however slow and painful the task.

Mr. President, if the real world confronts us with difficult choices—as it surely does on this issue—I believe that it also offers us a fair measure of the reassurance that we have been tempted to seek in formal agreements and written documents on the conditions for the AWACS sale.

As a practical matter, one that influenced this Senator, we still have 4 years before these aircraft would be delivered to Saudi Arabia if the sale goes forward with our consent today. Those 4 years allow us to come to a firmer judgment, if need be, about the durability of the Saudi regime itself and about its support for movement toward a peace settlement in the Middle East. If events should take a turn that clearly warns against transferring the AWACS at that time, we would be able to take steps to prevent the transfer.

As a practical matter, too, it does not appear that the Soviets could gain much advantage by trying to exploit AWACS technology, even if in some unforeseen disaster they should gain access to the aircraft.

As a practical matter, further, even without our formal participation in the Saudi command and control system for the AWACS, the United States will have control over the capabilities and the use of the aircraft because of our continuing participation in essential maintenance and repair activities for the life of the system.

Mr. President, I have been especially concerned about the effect that this sale to Saudi Arabia might have on the security of the State of Israel. Yet here, too, as a practical matter, the Saudis cannot use these aircraft close enough to Israel's borders to warn of Israeli air activity in a timely fashion—and protected from Israeli countermeasures—without risking loss of the aircraft to Israel's own fighters.

And, an even graver risk, the Saudis cannot disregard their commitments to the United States about the use of AWACS—whether these commitments are formal or informal—without suffering much larger damage to their overall relationship with the United States and the West.

Moreover, to confirm and to strengthen Israel's confidence in our commitment to Israeli security, the United States intends to take a number of concrete steps to strengthen security cooperation with Israel—steps like joint strategic planning and joint air defense in the eastern Mediterranean, as well as joint military exercises. With this reassurance, I believe we can avoid dangerous consequences for Israel's security should we proceed with the sale of AWACS and other equipment to Saudi Arabia.

Mr. President, I do support this sale, because I believe that we can protect ourselves adequately against the risks that may accompany it and because I believe that it makes a critical contribution to strengthening the influence and the political leadership of the United States not only in the Middle East but throughout the world.

In addition—I know I cannot do it at this time—I will be offering a resolution,

for myself and perhaps other Senators, which I hope will be appropriately referred and acted upon in the near future. It expresses the sense of the Senate respecting the early enhancement of security cooperation between the United States and Israel.

It indicates that it is in the national interest of the United States to encourage stability and peace in the Middle East. Also, it underscores and reaffirms that in that region, Israel is a major and essential ally of the United States in the effort to achieve peace and security; that we have the need to strengthen the defensive capability of Israel, a chief goal of U.S. security policy, appropriately pursued through expanded security cooperation.

I believe that that security cooperation contributes directly to U.S. military capabilities. It is my hope that we would indicate at some early time in the Senate that the President should move with all appropriate speed and by all appropriate means to take concrete steps to strengthen U.S. security cooperation with Israel, and particularly to contribute to the development of Israel's military defensive capability, in order to preserve Israel's ability to defend against any combination of potentially hostile forces in the region.

These steps should include planning for such measures as more frequent exchanges of views between United States and Israeli officials concerning threats to regional security and joint strategic planning for responding to those threats; cooperation in protecting the sea lanes in the Eastern Mediterranean, especially through joint air defense; appropriate joint military exercises; pre-stocking of appropriate U.S. materiel, such as medical supplies and other items, in Israel; repair and maintenance of appropriate U.S. equipment such as aircraft and naval vessels in Israel; and other specific appropriate actions that would reinforce and enhance strategic cooperation between the two countries.

It is my hope that if we could act favorably on the resolution, there would be, in addition, a quarterly report by the President to Congress or the Committee on Foreign Relations to indicate that we are doing the things outlined.

Mr. President, I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION EXPRESSING THE SENSE OF THE SENATE RESPECTING THE EARLY ENHANCEMENT OF SECURITY COOPERATION BETWEEN THE UNITED STATES AND ISRAEL

Whereas it is in the national interest of the United States to encourage stability and peace in the Middle East by all feasible and appropriate means;

Whereas threats to security in that region are increasing, particularly because of the activities of the Soviet Union and its allies and proxies;

Whereas in that region Israel is a major and essential ally of the United States in the effort to achieve peace and security;

Whereas the strengthened defensive capability of Israel is therefore a chief goal of United States security policy, appropriately

pursued through expanded security cooperation;

Whereas such enhanced cooperation also contributes directly to United States military capabilities in the region; and

Whereas such enhanced cooperation constitutes a critical element in overall United States security strategy for the region: Now, therefore, be it

Resolved, that it is the sense of the Senate that the President should move with all appropriate speed and by all appropriate means to take concrete steps to strengthen United States security cooperation with Israel, and particularly to contribute to the development of Israel's military defensive capability, in order to preserve Israel's ability to defend against any combination of potentially hostile forces in the region. These steps should include planning for such measures as

(1) more frequent exchange of views between United States and Israeli officials concerning threats to regional security and joint strategic planning for responding to those threats;

(2) cooperation in protecting the sea lanes in the eastern Mediterranean, especially through joint air defense;

(3) appropriate joint military exercises;

(4) pre-stocking of appropriate United States materiel, such as medical supplies and other items, in Israel;

(5) repair and maintenance of appropriate United States equipment such as aircraft and naval vessels in Israel; and

(6) other specific appropriate actions that would reinforce and enhance strategic cooperation between the two countries.

It is further the sense of the Senate that the President shall report quarterly to the Committee on Foreign Relations of the Senate on progress that has been achieved in expanding security cooperation between the United States and Israel.

Mr. DOLE. Mr. President, how much time does the Senator from Kansas have?

The PRESIDING OFFICER (Mr. COCHRAN). The Senator has 4 minutes remaining.

Mr. DOLE. Mr. President, as a Republican and as the chairman of one of the committees in the Republican-dominated Senate, it seems to me that we have a special responsibility to the leadership of the President of the United States.

I do not suggest that this should be a partisan issue. It should be a nonpartisan or bipartisan issue, and it has been so far as this Senator knows. But in the view of this Senator, it puts a heavier responsibility on those of us in the majority and those of us in the President's own party. Unless we can provide a great majority of those on this side, it is difficult to understand how we can expect great bipartisan outpouring from the other side.

The one candidate who ran for President and was elected was Ronald Reagan. Others tried. Some may not have noted it, but others of us were out there. However, only one was elected President, and that was Ronald Reagan. I believe he has done an excellent job in both domestic and foreign areas.

I attended a recent meeting in the White House—a rather spirited meeting, I might add—with Republican Members of the Senate and the President; and it seems to me that for some of us who have this special responsibility, everything else being equal, if the President indicated that this was a test of his lead-

ership, a test of his ability to conduct foreign policy, and nothing else was to be considered, then we have some responsibility to support our President.

Not everyone can agree with that, but it seems to me, in the final analysis, that that is a choice that should be made.

I hope that whatever may happen at 5 o'clock—I hope the resolution of disapproval is not adopted—this will indicate to the world and to the American people, that the candidate who was elected President, has been able to conduct foreign policy as the President—not without spirited debate, not without differences; but, in the final analysis, with a majority in the Senate indicating that they would entrust this foreign policy initiative to the President of the United States.

I again indicate, as the President has said, that there will be 4 years before the AWACS are delivered. The plug can be pulled at any time during those 4 years. I believe that is another telling point. Even for some of the other enhancements, the Sidewinder, the delivery date is 48 months or 38 months from now or somewhere in between.

Some of us feel strongly about Israel and have been strong supporters of Israel—I am one who opposed the F-15 sale, and I went back and read the statements I made in 1978, and I hope I am being consistent today.

Much has happened since 1978 in Iran, in Iraq, in Lebanon, in Egypt, everywhere we look in the Middle East. The clock keeps ticking, and time keeps moving, and things keep happening in the Middle East that make us see that what may have been unacceptable at one time is acceptable just 2 years later.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOLE. Mr. President, I will oppose the resolution of disapproval and will support the President.

Mr. PERCY. I thank our distinguished colleague.

I yield 5 minutes to a valued member of the Foreign Relations Committee, Senator HAYAKAWA.

Mr. GLENN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. COCHRAN). The Senator will state it.

Mr. GLENN. Mr. President, what procedure is necessary to put the Senate into closed session?

The PRESIDING OFFICER. If the Senator will indulge the Chair a moment, according to rule XXI, upon the motion made and seconded, the Presiding Officer shall direct the galleries to be cleared.

The Senator from Illinois has yielded to the Senator from California, and the Senator from California has the floor.

Mr. GLENN. Mr. President, I say that it may be my intention later to do that.

The Senator from Iowa apparently has information and he has shifted his vote based on that information. He said he has highly classified information. I think it might be good if the Senate is informed of that information.

A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GLENN. How many Senators are necessary to put the Senate into closed session? How many votes?

The PRESIDING OFFICER. One Senator asking for a closed session and one Senator seconding it.

Mr. GLENN. So it requires, as I understand it, then, two Senators to ask for a closed session.

The PRESIDING OFFICER. The Senator is correct.

Mr. GLENN. I suggest that it might be in order for the distinguished Senator from Iowa, who has that highly classified information, to perhaps take us into closed session so that we could share that information which we apparently have not been given, or the administration might wish to suggest such a thing to those who are on their side of this issue.

The PRESIDING OFFICER. The Senator from California.

Mr. BIDEN. Mr. President, will the Senator yield 30 seconds on my time off of my 10 minutes?

Mr. HAYAKAWA. I yield.

Mr. BIDEN. Mr. President, I inform the Senate that if Senator JEPSEN does not make that request, I, as a member of the Intelligence Committee, have my staff here from the Intelligence Committee, and I am prepared to ask for a closed session.

I hope that someone, preferably the Senator from Iowa or the Senator from Ohio, would second the motion because I see no evidence that indicates anything that the Senator from Iowa says is bearing on his point.

I am prepared to debate that issue in closed session.

But I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mr. HAYAKAWA. I thank the Chair.

Mr. President, the proposed sale of AWACS and the F-15 enhancement package to Saudi Arabia is one of the most difficult decisions facing Congress this year.

Last spring when this sale was being discussed, I voiced my concerns about this proposal. I had questions about the safeguards of our technology and the stability of the present Saudi regime. At that time I indicated that I was against the sale but that the administration had yet to present the package to Congress.

As the debate progressed this fall, I became even more concerned about the direction it was taking. It seemed to me that it had become a yes or no issue and either way the United States would be the loser. We had seen the interests of our best friends in the Middle East in conflict, in a zero-sum game in which victory for one meant humiliation and defeat for the other.

Furthermore, it appeared that we had become so focused on the technical aspects that we had lost sight of the real issue underlying this proposal—that is, would the sale enhance the prospects for peace in the Middle East?

I believe that there is no hope for long-range peace in the region until there is full diplomatic recognition of Israel by her Arab neighbors and a reso-

lution of the Palestinian question. It seems to me that the most useful way the United States can help achieve this is through a supportive role. We must respect other countries' sovereignty but at the same time maintain ties in order to promote positive movement toward peace and stability.

An example of this was the 1976 sale of C-130's to Egypt. The Ford administration felt that by supplying these cargo planes—much to the dismay of Israel—it would make it politically possible for Egyptian President Anwar Sadat to continue his moderate policies. As history has recorded, President Sadat not only continued these policies—having already thrown the Soviets out of Egypt—but took the bold step of going to Jerusalem which culminated in the Camp David accords.

I feel that the proposed sale to Saudi Arabia has this same potential. However, I also feel that the United States must show the will to stop the delivery of these arms if it appears that this policy will not achieve this end. Recently, Saudi Arabia's Crown Prince Fahd has proposed an eight-point plan which has been viewed by some Arab observers as an indication of his willingness to eventually recognize Israel.

This peace initiative, as well as the Saudi's role in achieving the recent cease-fire in Lebanon, is commendable and I am encouraged by it. But in 1977 Prince Fahd talked of complete, permanent peace, and normalization of relations with Israel. At that time he made the statement that all Arabs, including the Palestinians, were ready to negotiate a Middle East settlement with Israel if Israel recognized the full rights of the Palestinian people.

However, after Camp David, the Saudis moved away from this initiative and assumed a harder line attitude toward Israel. So what if the Saudis do not continue to move toward peace? What if the political stability of the Saudi leadership is shaken?

What if pressure is brought to bear on the Saudis by other Arab political forces? These are all possibilities that must be taken into consideration. Because of the instability in the Middle East, this country must reassess the peaceful intentions of Saudi Arabia prior to actual shipment of the arms package. Therefore, I submitted a resolution, Senate Resolution 221, which provided guidelines for determining the current climate and ongoing peace initiatives in Saudi Arabia. Obviously, the success of any Saudi movement along these lines will be affected by Israel's willingness to deal with the Palestinian issue as well as the status of the Camp David accords.

I have discussed these concerns at length with the President. Through these meetings and other meetings with representatives of the administration, I have secured President Reagan's guarantee of a continuing review of these sales in the context of progress toward a regional Middle East settlement as well as the assurances about the technical aspects of the sale and the security of Israel.

This sale might well have been approved without the issuance of such assurances, but by so insisting on this continuing review I, and my colleagues who have supported me in this position, believe that we have made a valuable contribution to the future stability of the entire Middle East.

And there is a broader lesson we have learned from this specific proposal. Arms sales are an important element of foreign policy and as such the President has the constitutional duty to determine when it is in the interest of the United States to sell arms to other countries as our foreign policy dictates. However, it is also the constitutional duty of Congress to give its advice and consent. I believe the unfortunate tenor of this debate was the result of a failure in the congressional consultative mechanism. Therefore, I intend to introduce legislation that will improve this mechanism so that consultations are an ongoing process both before and after a sales agreement is negotiated.

Finally, I would like to comment on the interest of my constituents in this matter. Early on, the mail and telephone calls coming into my office were heavily against the sale. About a month ago the tide changed and many of my constituents indicated they favored this sale because it was in America's interest and in the long run would also be in Israel's interest. I also perceived an element of backlash against our strongest democratic ally in the Middle East, the State of Israel. As a consequence, I became disturbed that a refusal to sell this equipment to Saudi Arabia would not only cause humiliation for a friend in the Arab world, but would also erode the unanimity of U.S. support that is essential for a continuing commitment to Israel, particularly in the current climate of oil politics.

Therefore, in light of the assurances I received from the President and the opinions expressed by many of my constituents I decided that a vote in favor of this sale is truly in everyone's interest.

Mr. President, I have an article here from the Los Angeles Times of October 27, and I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AWACS: ASKING FOR TROUBLE

In resolving the public debate on proposed sales of defense articles to Saudi Arabia, there are actually two discussions: separate and unequal.

First, there is the debate among experts. The Times added its contribution in its editorial, "AWACS: Asking for Trouble" (Oct. 19).

Next is the more critical debate at the parliamentary level—in this case, on the floor of the Senate. A service to the senators would be provided if public reaction was heard to a resolution which will emerge as contributory to the critical Senate debate.

The senators have before them Resolution 221—introduced on Oct. 5. It is remarkable—at once for its statesmanship, eloquence, simplicity and timeliness. It also comes from a most unlikely author: Sen. S. I. Hayakawa (R-Calif.).

The resolution proposes that 60 days prior to delivery of any part of the arms package,

the President notify the Senate of continuing efforts by the Saudis to effect moderate policies in the Middle East, which affirms Israel's right to exist.

Should the Saudis not be found adhering to such policies of moderation, on a continuing basis, the Senate would be authorized to enact legislation to prohibit arms delivery to Saudi Arabia.

The resolution's intent is to move toward a policy element so far lacking an enunciated regional strategy (from both executive and legislative branches of government) which can help move the much needed peace process toward a positive direction.

DAVID PHILLIPS,
Spring Valley.

Mr. HAYAKAWA. I thank you, Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. BIDEN. Mr. President, I yield 5 minutes to the Senator from Michigan.

Mr. LEVIN. Mr. President, I thank the Chair.

Mr. President, I rise in support of this resolution and in opposition to this sale. I have made my decision on this issue fully recognizing that the environment in which we are operating has made objective analysis difficult. In fact, Mr. President, in my 3 years in the Senate, I have never seen an issue subjected to the kind of emotionalism and hyperbole which has characterized the discussion this past month. I have never seen, for example, a situation in which the President felt compelled to make a statement suggesting that those who disagree with him do not have the best interests of this country at heart. That kind of statement is not worthy of a President of the United States. Nor have I seen lobbying efforts disintegrate into questions such as whether one is for Reagan or Begin. That kind of question is simply not appropriate or fitting coming from anyone. The truth is that most, if not all, of us have studied this issue carefully, researched it thoroughly, discussed it at length, and reached a conclusion which we believe, in our hearts and minds, to be in the best interests of the United States.

But while I reject the insinuations which have been made and while I deplore the tone this debate has taken over the past few weeks, perhaps the best way to demonstrate just how misguided these claims are is to shift our frame of reference for a minute or two.

Let us not for the moment consider the sale of AWACS now under a Republican President. Yet us not look at the arguments being advanced by persons who link Israel's security to our own. Let us not take into account the slurs and innuendos. Instead, let us go back to a simpler time and a less heated environment. In these same halls back in 1977, we confronted many of the same arguments and issues we are struggling with today. But then we were considering the proposed sale of AWACS to Iran and not to Saudi Arabia. And then we had a Democratic President and a Democratic majority in the Senate. And then we had a debate unaffected by references to Israeli security concerns.

Having removed the factors which now complicate our analysis; having elim-

inated any possible charge of partisanship; having neutralized any fears of "foreign" influence; having, then, cleared the air, we may well learn something from the decisions that were made and the arguments that were advanced in 1977 when the sale of AWACS to Iran was being considered.

There were, for example, arguments about the impact of rejecting the shah's request. Questions were raised about how he would react to a refusal. He might, we were warned, raise his oil prices or lower his production rate. And even more importantly, we were told that he might be a less secure leader and a less friendly monarch if his request were denied. And with that warning surrounding us, the sale was ultimately approved after once being rejected by a House Committee, withdrawn and then revised. But even before the planes were delivered, the results of our fidelity to the shah were recorded in the streets of Tehran. The sale did not save the shah. Our commitment of AWACS did not impress the ayatollah. Despite that, we still hear the same argument today in a different form. Now we are told that approval of this sale will actually make the House of Saud more secure.

We also hear that approval of the sale will make the President and his ability to conduct foreign policy more secure. Well, we heard that back in 1977 as well. Then we were told that if the sale to the shah were rejected, the President simply would not be able to conduct foreign policy. His word would be inadequate. His leadership would be in question. And so the sale was approved. But I doubt that anyone would now claim that President Carter's ability to conduct foreign policy was enhanced by the sale or would have been significantly diminished by its rejection.

But most critically, we are hearing again an argument which dominated that 1977 debate: Is there a danger that the technology the President seeks to sell could fall into unfriendly hands and in some way be compromised? In 1977, we decided that the risk, great as it was, was offset by the ability of the shah to guarantee the security of the system. We made that decision despite the evidence that was presented to us. We made that decision without adequately listening to these words of warning from our colleague, Senator EAGLETON, who told us back in 1977 that—

It takes little imagination to conceive of the great Russian interest in acquiring such technology. . . . I doubt that most Americans would wish us to surrender control of our look-down radar and associated AWACS secrets. . . . Indeed, the concern of the proposed sale of a civilian computer to the Russians pales by comparison to the possibility of losing this military technology. Iran's governmental status, centered on a mortal leader, is fragile and subject to change. To endorse this sale is to take an imprudent risk to American national security.

And our former colleague, John Culver said in 1977, relative to the shah that—

The AWACS represents our most advanced technology. . . . We have spent \$1.5 billion on research and development alone and have devoted 10 years of the best scientific brains

America can produce to acquiring a look-down radar with unique surveillance capability. The Soviets do not have this capability and it will take them years to get it—unless we hand it to them. . . . Technological achievements such as AWACS help the United States to offset numerical deficiencies in weaponry. When we talk about the U.S.-Soviet balance, when we talk about asymmetries in weapons, what is our best asset? Qualitative advantage, technological edge, the genius of a free society. The day we start giving this advantage away for money to pay for oil or to reduce per unit costs in our own defense budget, we ought to tremble when we hold up our hand as to whose oath we are taking—loyalty to our Constitution and the Government of the United States, or to the fetish of some foreign government to have their hands on our best military equipment. Who do we have an oath to? What is our responsibility—to keep someone happy overseas, or to protect our own servicemen who might have to fly into the face of a Soviet technological edge that we gave them? I don't want to go to those funerals.

But as I said, we did not listen to those voices in 1977 relative to the sales of AWACS to the Shah. We listened to those who told us not to worry about the security of the planes; we listened to those who assured us that the Shah was secure; we listened to those who spoke of assurances which would protect our equipment. And so the sale was approved and the planes were prepared for the Shah. Only the fall of the Shah before their delivery prevented them from taking a journey from America to the Soviet Union via Iran. But that was the route, according to Under Secretary of State Buckley, that some of our other equipment, including sensitive missile technology, took.

And now we are hearing it all again. We are told that Saudi Arabia is secure. We are told that assurances will protect our technology. We are told not to worry. But I am worried. And I do not want to see this country make the same mistake in 1981 that we made in 1977.

But this is not 1977 of course. And some, I suppose, would suggest that this analogy is not persuasive. I suppose those are some of the same people who would reject any analogy to 1980. Because in 1980 we were told by then candidate, Ronald Reagan, in a speech before the B'nai B'rith on September 3, that if the United States were ever to play a useful role in bringing peace to the Middle East, then our "most important (task is to) rebuild our lost reputation for trustworthiness. We must again become a Nation that can be relied upon to live up to our commitments."

When he uttered those words, Ronald Reagan was reminding his audience of a specific commitment. He was referring to the letter sent by Secretary of Defense Brown to the Congress of the United States when we were considering the sale of F-15's to Saudi Arabia. He knew that the letter pledged that "we do not intend to sell any other systems or armaments that could increase the range or enhance the ground attack capability of the F-15's." He knew as well about the letter from Assistant Secretary of State Bennett to Congressman LEE HAMILTON

which indicated that "The Saudi Air Force is not scheduled to get the AIM-9L Sidewinder missile." He also knew that the same letter promised that "An F-15 sale will not lead to the sale of E2C or E3A (AWACS). The F-15 has an excellent radar. Were the Saudis to purchase an aircraft with less effective radar than the F-15, they would be more likely to seek an airborne radar system." Yes; the President was referring to those letters and those pledges and those promises when he spoke of the importance of living up to our commitments and keeping our word. In fact he excoriated his opponent's uncertain position on honoring those commitments when he complained that "the Secretary of Defense tells us he cannot say whether this commitment to Congress will be honored." But now President Reagan seeks to sweep aside those same commitments.

Be it 1977 or 1978 or 1980 or even 1981, it seems to me that there is a need to have some concern about the promises we make and the pledges we give.

To demonstrate that lack of consistency, I ask unanimous consent to insert at the conclusion of my remarks the letter of assurance we received from Secretary of Defense Brown and the letter sent to us today by President Reagan.

THE PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LEVIN. Given the consistency of the commitment to the pledges made in Secretary Brown's letter, I would suggest that we ought to view the promises of the President with at least a healthy degree of skepticism if not cynicism. I wish, then, that this administration was consistent in its concern about the consistency of our foreign policy.

I also wish they were concerned about the consistency of the process by which foreign policy decisions are made. As I have indicated in the additional views I attached to the report of the Armed Services Committee on this sale and in my statement on the floor earlier this month, I have been deeply disturbed by the way in which our Government decided to sell the AIM-9L missile to Saudi Arabia. While the transfer of this kind of highly secret and sophisticated technology to other nations is normally cleared through the National Disclosure Policy Committee, in the case of this sale and this missile that process was ignored. An exception was made and the committee was bypassed. Secretary of Defense Weinberger, when I questioned him about this, told me that the President himself had authorized this decision. While no one knows for sure that the committee would have opposed the sale, I can say that they certainly would have heard some strong arguments in opposition to the sale from the military. I would emphasize for my colleagues the fact that the Secretary of the Navy is on record, as recently as May 1980, as objecting to proposed transfers of the AIM-9L. The Secretary wrote then that—

The Navy does not concur in the sale of the AIM-9L to neutral or third world countries . . . For the foreseeable future.

That objection was an echo of an objection the Navy raised just a month before, to the proposed sale of the AIM-9L to Egypt. Yet despite this record, the inclusion of the AIM-9L in this package was not presented to the National Disclosure Policy Committee for their consideration. Nor was the fact that Saudi Arabia is not cleared to receive classified material of the kind associated with the AIM-9L.

Given the importance that opponents and even some proponents of the sale attach to Israel's security and their stated desire not to diminish or decrease the military balance in the region, I believe it is important to emphasize the fact that Saudi possession of the AIM-9L will minimize the much vaunted Israeli military advantage. That advantage has been built on the superior skill and talent of her pilots. But the AIM-9L is what is sometimes called an idiot proof weapon. By eliminating the need for pilots to maneuver in behind their opponents, it erodes the advantage which Israel's superior skill has given her. And in that sense, it does significantly alter the balance of military forces in the region as well as expose a highly sophisticated and secret American technology to the possibility of compromise.

The administration has tended to gloss over this argument. It took over 2 weeks, for example, for them to respond to a series of questions I asked about this issue in hearings before the Armed Services Committee. It was just this morning that I received answers to all of the questions I asked about this issue. I can understand their reluctance to address this issue. I just wish it was not the only issue they were reluctant to address.

But there are others. For example, we have still not seen in writing the assurances we are told have been negotiated between our Government and the Government of Saudi Arabia. While the administration has told us time and time again that there are agreements and that they go beyond those normally involved in transfers of this kind of technology, we have not seen them. We have not even seen written summaries of any oral understandings which were allegedly reached during the negotiations. In fact, we are told that we do not really need to see them now, since the sale itself will not be consummated for 4 years. Those assurances, we are told, really become operative then. Well, I do not think that the Senate or the people of the United States ought to be asked to accept secret agreements or have faith that somehow in the next 4 years things can be worked out. That just is not the way we ought to make policy.

And we also ought not make policy commitments now on the belief that if things do not work out over the next 4 years, we can always change our minds and just not go through with the sale. With all due respect to those who have advanced this position and used it to minimize the importance of the decision we will make here today, I simply find it to be an amazing argument. Once a commitment of this nature has been made, once Saudi Arabia has what is in essence a contract with us, does anyone

seriously believe we will back out of the deal? And given all the pressures of the last week and all the public statements made by the administration, does anyone seriously believe that the executive branch would want to back out of this deal? No, I am afraid that this attempt to soothe our concerns will not wash. All I see in this argument is an attempt to pass onto the next generation the sins of our own.

No, the arguments being used to justify this sale are not persuasive. They are not accurate. They are not straightforward. They are, however, based on a misreading of events and a mistaken view of the President's authority to make foreign policy commitments without the consent of the Congress.

The arguments against this sale are compelling. First, this sale is irrelevant to Saudi Arabia's principal defense needs. To the extent that AWACS and the early warning system they provide is essential for Saudi security, that function can be provided, as it is now, by American-owned and operated AWACS. And if Saudi sovereignty and pride are advanced as a reason for their need to own rather than simply use these planes, I must confess that I do not believe that Saudi concern for saving face sprang up overnight. They accepted American-owned and operated AWACS in the past and we could have at least talked with them about continuing that arrangement instead of simply ignoring that possibility. Or, at worst, we could have pointed to the NATO model of joint command and control. So while I recognize the right of Saudi Arabia to be a proud and sovereign state, I would point out that other proud and sovereign states—like those in NATO—who felt that AWACS was essential to their security have accepted something less than full ownership of those planes in return for the protection they provide.

There is, then, a way in which Saudi security—to the extent it relies on an early warning system—could have been protected while America's need to safeguard was preserved.

But I do not believe that an objective analysis indicates that Saudi Arabia's main security needs depend on early warning radar systems. I recognize that this administration—after previously claiming that we lacked the ability to make the Carter doctrine real—says it seeks to create a strategic consensus designed to thwart Soviet expansion in the Persian Gulf. Since this is as close as the administration has come to having a foreign policy, I do not want to be overly critical of the concept. But I must share the concern of Senator ROBERT C. BYRD and others about the viability of a strategic consensus in the absence of any policy designed to address the problems that the nations in the Middle East see as most pressing.

And I must also confess that I do not understand how we can demonstrate our commitment to block Soviet expansion in the region by selling AWACS—which we admit will not allow the Saudis to defeat an all-out Soviet air attack—when at the same time the administration is proposing cutbacks in our naval car-

rier task forces in the region and eliminating programs designed to improve our refueling and cargo carrying capacity to the region.

Be that as it may, however, my point is simply that the main threat to the Saudis is not to be found in Soviet air attacks or even invasion by Soviet proxies. AWACS will not thwart the kind of internal subversion which led to the assassination of Anwar Sadat. AWACS are helpless before the Moslem fundamentalists who seized the mosque in 1979. And AWACS cannot defend the royal family in the face of public domestic unrest. The Soviets do not need to consider the sweeping sort of air attack that AWACS will defend against to achieve their goals. There are less massive and more effective means available to them; means which totally evade the protection that AWACS in Saudi or American hands will provide.

Despite my reservations about the value of AWACS, the Saudis certainly seem to feel that they are essential elements in their national defense plans. Given the importance they attach to the sale, both symbolically and substantively, one would assume that they would be willing to try and reach some accommodations on those issues which have, at one point or another, concerned 68 Senators enough to justify their sending a letter to President Carter opposing any exploration of this sale. But the Saudis have not made any moves toward a middle ground. They have rejected any and all proposals involving joint command and control. In fact, they have rejected any suggestion that any restraints at all can be placed on their use of this equipment.

Given their record of intransigence when something that they apparently desperately want is at stake, grave doubts have just got to be created about the often expressed hope that this sale will give us leverage over the Saudis and allow us to exert an influence over their behavior in the Middle East. If we cannot get them to recognize our right to jointly command and control the planes, how can we expect them to recognize Israel's right to exist? If we cannot get them to negotiate with us about how the planes will be used, how can we expect them to negotiate a peace in the Middle East?

I know that we have all fallen into the habit of referring to Saudi Arabia as a moderate Arab State. But I would remind my colleagues that we can only apply the term moderate to the Saudis if we contrast their behavior with the murderous frenzy of a state like Libya. It is difficult to really believe that a state is moderate when it has undermined the Camp David peace process, provided assistance to the PLO, opposed any American military bases in the Middle East and denounced the hostage rescue mission as American military aggression. It is hard to label as moderate Sheikh Yamani's claim in April 1981 that—

To the Saudis, there are only two threats in this world—international communism and Israel. . . . The second (Israel) is far more tangible and more in evidence than the first, and an actual danger is obviously worse than a potential danger.

And it is hard to view as moderate Crown Prince Fahd's January 1981 pledge that—

We are for an all-out holy Islamic struggle in all aspects, with speech and all the resources of the media, with men, materiel, with knowledge and with weapons.

Given all of this, it is hard to believe that the Saudis will take their sophisticated American military equipment and move to the sidelines if Arab States carry out their continuing threat of Jihad and engage in yet another attack on Israel. Indeed, to the extent that a successful sale is seen as tilting Saudi Arabia toward the West, there will be an irresistible pressure on them to keep their commitments to the Arab front in any conflict with Israel.

The administration has tried to allay this concern by assuring us that if the Saudis fly their planes in an offensive or provocative way, then Israel can simply shoot them down. Now that would be marvelous advice save for the fact that they have also told us that Americans will be on those planes for many years to come. And it is also not very useful advice when one considers that the diversion of Israeli aircraft to such a mission would have severe implications for her other defense needs during a conflict.

The question, then, really is why in the world would we want to sell AWACS and AIM-9L's to Saudi Arabia? Why give them control over this technology? Why turn over our planes to them when we have not even turned them over to our NATO allies? Why give them the AIM-9L when they are not eligible to receive it?

The one answer that emerges is the hope that in some way the sale will make the Saudis more pliable, more receptive to American interests in the Middle East, more willing to participate in the search for peace. Given their record, I find that a dubious argument at best. And given the fetish this administration has had about linkage, I find their argument in this area particularly shallow.

While we have delayed crucial discussion with the Soviets because we have not had adequate assurances that their behavior on a host of important but unrelated international issues will meet our standards, we are willing to sell AWACS and AIM-9L's based on a wing and a prayer that Saudi Arabia will turn around. We have no agreement that they will participate in Camp David. We have no agreement that even suggests they will decrease their funding of the PLO. We have no agreement that they will allow U.S. troops to have access to their bases. We have nothing except some undocumented, unconfirmed assurances that somehow this sale will make the Saudis more cooperative in the future.

If anyone suggested that we apply a similar standard to our negotiations with the Soviets, they would be branded as wild idealists and run out of town on a rail—and they would deserve it.

My doubts about Saudi behavior are only strengthened by my memory of past assurances that if we simply did this or that they would turn around. That was,

after all, a major argument advanced in support of the F-15 sale in 1978. And like so many of the arguments used then, this one has resurfaced. But of all the arguments which have returned to haunt us again, this one rings the most hollow. We believed it before. And we should have learned enough not to listen to it again.

What leverage did we get from the 1978 sale? We told the Saudis then that they would not get conformal fuel tanks or AIM-9L's or AWACS. And we were told that they would not ask for them. Well, they are asking.

We were told they would moderate their role in the Middle East if we just sold them those F-15's and showed our respect for them. Perhaps the most powerful symbol of that moderation was their failure to even send a representative to the funeral of Anwar Sadat.

We were told that they would be more open to American concerns if the sale went through. But the only concern they have expressed about America is whether or not we can pass this latest, but not last, litmus test of our relationship with them.

I ask my colleagues to recognize that litmus tests never end. Once we accept the premise that any of our allies—be they Arab or Israeli or European—can impose a litmus test on our relationship with them, we have surrendered control over our own foreign policy.

Let me make one final point before I conclude. Many of my colleagues have suggested that we really cannot afford to look at this sale critically. They believe, sincerely, I am sure, that since the President of the United States has told the Saudis that he favors this sale, we are obligated to back him up no matter how much we disagree with him. I have a great deal of respect for the Presidency. But I have at least as much respect for this institution and even more respect for this country.

This institution has a constitutional right to critically examine the President's decision and a legal obligation to disapprove this sale if we do not think it serves our Nation's best interests. Our role in this constitutional system is to serve as a check on the President; not to give him a blank check. I believe the President is sincere in his belief that this sale is in the national interest. But opponents are equally sincere in our beliefs that it is not, and as a result, we have a solemn duty to do all we can to prevent this country from making what I fear is a tragic error. As William Safire wrote in the October 15, 1981, New York Times:

As a former Presidential aide, I recall all too well the temptation to quiet the voices of friends warning of danger with a blast about "weakening the Presidency." But it is the demand to close ranks regardless of conscience that weakens the Presidency.

In conclusion, I wish with all my heart that the President had given us a proposal I could support: One with a system of meaningful joint control and command over the AWACS; one which gave us control over where those planes fly, control over access to the information they produce, and control so we could assure that they could make a speedy exit from Saudi Arabia in case of emer-

gency; a proposal which did not include offensive weapons for the F-15's. But he did not give us such a proposal. And the one he has given us I cannot support.

In voting against it, however, I am not voting against a continued and strengthened relationship with Saudi Arabia. Even given all of my reservations about their role in the conflicts which continually threaten the peace, I believe we can and should work toward a closer relationship with them. I just want that relationship to be fair, balanced and consistent with American security interests.

This sale violates our pledge to protect and defend the interests of the United States. It is inconsistent with our national security. It is ill advised and poorly developed. Despite all the pressures, despite the references to loyalty and patriotism, the plain fact is that this sale does not warrant—and ought not command—the support of the U.S. Senate.

EXHIBIT 1

SECRETARY OF DEFENSE,
Washington, D.C., May 9, 1978.

HON. JOHN J. SPARKMAN,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: During recent conversations with you and other members of your Committee, a number of questions have been raised regarding the characteristics of the F-15 aircraft we propose to sell to Saudi Arabia and reassurances as to the purposes for which Saudi Arabia will use the aircraft. I would like to respond to those questions and attempt to resolve any uncertainties that members may have felt regarding the proposed sale.

I. THE F-15 AIRCRAFT

The F-15 we plan to sell to Saudi Arabia will have the same configurations as the interceptor model approved for the United States Air Force. During the developmental phase of the F-15, initial plans called for giving the aircraft a ground attack capability. However, the availability of other aircraft with superior strike capabilities led the Air Force to alter its plans and to limit the role of the F-15 to that of an air superiority fighter. Consequently, the development of new ground attack systems for the F-15 was discontinued in 1975.

Saudi Arabia chose the F-15 because of its extended patrol capability and superior air defense characteristics (including an advanced, all-weather air-to-air radar system). The F-15 best meets Saudi Arabian requirements for the air defense of a vast territory. In choosing the F-15, Saudi Arabia rejected aircraft with powerful ground attack capabilities such as the F-16.

As Saudi Arabia has selected the F-15 to defend its national territory, it would be folly, as the Chairman designate of the JCS, General David Jones, USAF, observed in testimony, to use the F-15 offensively against neighboring countries. This is particularly so vis-a-vis Israel, whose air strength is, and will be, so much greater. Not only would the F-15 be relatively ineffective in an offensive mode, and the risk of loss of the aircraft high, but its use away from Saudi Arabia would leave vital oil facilities, urban centers and military installations without necessary air defense cover. From the standpoint of military planning, it would make no sense whatsoever for Saudi Arabia to acquire an aircraft with the characteristics of the F-15 with an idea of using it as a ground attack aircraft. I am confident the Saudis have no such intention.

Like the USAF model, the F-15 for Saudi Arabia will be equipped with air defense armament, namely four AIM-9 Sidewinder

air-to-air missiles, four AIM-7 Sparrow air-to-air missiles and a 20-mm gun.

The aircraft can carry three external fuel tanks, but the plane requested by Saudi Arabia will not be equipped with special features that could give it additional range. Specifically, the planes will not have conformal fuel tanks ("fast packs"), i.e., auxiliary fuel tanks that conform to the body of the plane, and Saudi Arabian KC-130 tankers do not have equipment for air refueling of the F-15.

Saudi Arabia has not requested that the plane be outfitted with Multiple Ejection racks (MER 200) which would allow the plane to carry a substantial bomb load. The U.S. will not furnish such MERs, and testing and certification of a MER system for the F-15 would not be feasible by another country without U.S. authorization. While aircraft could conceivably carry three standard MK 84 bombs, they would each replace an external fuel tank; this would greatly shorten the aircraft's range and increase its vulnerability. Moreover, in contrast to the F-16, the F-15 does not have a radar system designed for bombing.

Saudi Arabia has not requested nor do we intend to sell any other systems or armaments that would increase the range or enhance the ground attack capability of the F-15.

Pursuant to our national security disclosure policy, certain highly sensitive sub-components of the U.S. Air Force version of the F-15 (e.g., cryptologic equipment and some special electronic capabilities) will not be sold to Saudi Arabia.

In sum, it is clear that the F-15 will help Saudi Arabia deter and defend against those nations that are hostile to its role as a leading moderate Arab state.

II. ASSURANCES

The Government of Saudi Arabia has assured us that it has no aggressive intentions against any state, that it will use the F-15 aircraft only in furtherance of its legitimate self-defense, and that it will not employ the aircraft offensively. The Saudi Arabian Government has similarly assured us that it will not transfer the F-15 aircraft to any third country or permit the nationals of such country to train on the F-15 aircraft, serve as pilot, or otherwise to have access to the aircraft without the authorization of the United States.

We have specifically discussed these restrictions on use and prohibitions on transfer with the Government of Saudi Arabia. They have assured us that they intend scrupulously to comply with these prohibitions and restrictions. The record of Saudi Arabia in this respect is excellent. However, should the assurances be violated, the United States can take appropriate action, including suspension of services and of delivery of spare parts and other military equipment. Without such services the usability of the F-15 would degrade rapidly.

It is also important to note that the sales agreement reserves to the United States the right to suspend or cancel deliveries at any time "when the national interest of the United States so requires." Further, under Section 21(c) of the Arms Export Control Act, no U.S. person employed under Foreign Military Sales contracts in Saudi Arabia or any other country would be permitted to perform services in support of combat operations.

Questions have been raised concerning the possible basing of the F-15 aircraft at Tabuk Air Base. I would like to repeat to you the assurance given to me and other United States officials by the Saudi Arabian Government that Saudi Arabia will base the F-15 aircraft, not at Tabuk, but at Dhahran, Taif and possibly at Riyadh or Khamsa Mushait.

Basing the F-15 at the vulnerable Tabuk base could place in needless jeopardy these vital aircraft which will form the heart of the Saudi Arabian air defense system. In addition, Tabuk is not equipped to serve as an operating base for the F-15s, and could not be so equipped without extensive U.S. assistance which would not be provided. These practical considerations, of which Saudi Arabia is well aware, strengthen the assurances that the F-15s will not be based at Tabuk.

The question has also been raised whether the Government of Saudi Arabia intends to acquire additional combat aircraft from other countries. The Saudi Arabian Government has assured us that it does not intend to add to its inventory any combat aircraft from other countries while it is preparing for and receiving the sixty F-15s. The shortage of trained personnel in Saudi Arabia would severely constrain Saudi Arabia's ability to utilize any additional new aircraft beyond the F-15 during this period.

With respect to the security of the aircraft, the Government of Saudi Arabia has expressed its determination to provide carefully for the physical protection of the aircraft, manuals and other material related to it. Prior to the delivery of the aircraft, we will work with the Government of Saudi Arabia to ensure that adequate safeguards are in place to prevent unauthorized persons from obtaining access to the aircraft or information about it.

The proposal with respect to Saudi Arabia, like all such proposals, stands on its own merits, and I hope the foregoing information will be helpful to you and that you and the members of your Committee will join in support of the Administration's proposals to sell aircraft to Israel, Egypt and Saudi Arabia.

Sincerely,

HAROLD BROWN.

(President Reagan's letter is printed earlier in today's RECORD.)

The PRESIDING OFFICER. Who yields time?

Mr. BIDEN. Mr. President, I believe Senator ROTH is on his way to the floor to speak next but, in that interim, I would like to make several points that I would hope my colleagues will keep in mind.

First of all, there has been little discussion of the AIM-9L missile in this whole package. You would think it was merely a debate on AWACS. Yet an equally dangerous aspect of the sale is the AIM-9L missile, the technology of which no one in the world has but us, and the provisions relating to onsite inspection and prohibitions on third country maintenance, clearance, and screening, and all of these things that the President assured some of my colleagues in letters he sent to them, did not, as I read the letters, apply to that missile.

One should also understand that there is not and has not been any certainty of a time when the Soviets would have this technology for an all-aspect missile. Reports to the Intelligence Committee are much more guarded than all the talk that is so easily bantered around about how the AIM-9L missile technology is something the Soviets are about to have, and, also the talk about how soon the Soviets are going to have, an AWACS capability.

So I think we have done a great job here in underselling the lethal aspect of the AIM-9L missile and the sophistication of the AWACS aircraft in order to

accommodate a foreign policy decision the President has made.

I would like my colleagues to keep a few other things in mind. If we go into closed session, we will talk a little bit about them, and one is the capability of the Saudi Air Force. Saudi Arabia right now has 140 aircraft, with F-15's still to come. If the threat is from the Soviets, who have 5,000 aircraft which they could dedicate to the effort, Saudi capabilities would not make a whole lot of difference. I do not think there are 150 Saudi Arabian qualified pilots, and if we are talking about the Saudis scrambling in a few minutes to cut off an attack from Iran coming across the gulf, with all due respect, our friends from Saudi Arabia have trouble scrambling their camels in 15 minutes, let alone the F-15's.

The 7-minute warning time that this would give them in additional time seems to me an enormous price to pay.

But I see the Senator from Arizona has arrived, and I will reserve the rest of my comments for later in this debate.

I now yield to the Senator from Arizona, Senator DeCONCINI, 5 minutes.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. DeCONCINI. Mr. President, I thank the distinguished Senator from Delaware for yielding to me.

I am listening to much of the debate and discussion on the AWACS sale and I am realistic enough to know that my statement this afternoon is not going to change anybody's mind or vote. All the arm-twisting and persuasion has already been accomplished, of that I am convinced and I am somewhat disappointed, I must say. But I think it is important that those of us who have strong feelings on this issue take a little time and present those feelings to this body.

These are feelings of mine that have been of longstanding, feelings that I had very similar to those when President Carter proposed the sale of the F-15's in 1978.

The debate regarding the sale of AWACS and F-15 enhancements began long before the administration's official proposal of the sale on August 24, 1981, and has its roots in the 1978 decision to sell F-15's to Saudi Arabia. Today that debate draws to a close. Our colleagues in the other body have voted overwhelmingly against the sale, and it is up to us to make the final decision to reject or approve the sale.

I have given much time and thought to this decision. I inspected the AWACS-equipped plane which the administration made available to Congress about 6 weeks ago. I have listened carefully to administration briefings and to the views of authorities on both sides of the issue, and a flood of correspondence from Arizonans who favor and who oppose the proposed sale has reached my office. They have been reviewed carefully by myself as well as members of my staff.

In the first 10 months of his administration, meaning President Reagan's administration, I have done my best to support the administration when I believed they were right, and many times I think they were right. When I met with the President recently regarding the pro-

posed sale, our frank and open discussion explored in depth the advantages and disadvantages. I suggested modifications to the sale which I believe would make it more in keeping with U.S. security interests in the Middle East. However, due to commitments that had already been made to the Saudis, the President felt that any meaningful change was unacceptable.

I am firmly convinced that the proposed sale—the AWACS-equipped planes as well as the F-15 enhancements—would be harmful to vital American interests in the Middle East. My decision is based on three arguments, each of which I believe, is strong enough in itself to justify opposing the sale.

My first reason for opposing the sale involves the highly sophisticated and powerful nature of the main features of the package. The \$8.5 billion worth of arms and equipment may be the largest weapons sale in history. It includes five Boeing 707 aircraft equipped with E-3A airborne warning and control systems, commonly known as AWACS; 1,177 AIM-9L Sidewinder air-to-air missiles; 6 KC-707 aerial refueling tankers; 101 pairs of conformal F-15 fuel pods and 22 ground radar intercept stations.

AWACS without a doubt has impressive capabilities. Although the administration attempts to play down its technological sophistication, no one that I know would dispute the fact that it is the most advanced airborne warning system in existence. If this sale is approved no other single nation will have such an advanced system. The Israelis do not have AWACS: They have the less capable E-2C Hawkeye system. Our NATO allies do not individually have AWACS. At least we maintain control in their use and will in the future, when they are turned over, as I understand, sometime next year, have a large percentage of the crews on each one of those.

At a mission altitude of 29,000 feet, AWACS can detect low flying small fighter aircraft at ranges of about 200 statute miles, medium-size aircraft at about 275 statute miles, and high altitude bomber-size aircraft at over 400 statute miles. However, while the AWACS have been portrayed as a defensive weapon, its real value is as an airborne command and control center. AWACS could control a multifaceted air attack while simultaneously directing defensive efforts against a counterattack. AWACS is an extremely effective "force multiplier," because an enemy has to be willing to expend a significantly greater portion of its strength to eliminate it or to combat a force commanded and controlled by AWACS.

Traditionally in the Middle East, Israel's air superiority has offset its 100 to 1 disadvantage in manpower, thus preserving a rough military balance in the area leading to a degree of stability. The AWACS sale could profoundly affect that balance—particularly the perception of that balance—and precipitate a dangerous regional conflict with the gravest implications for U.S. security.

The enhanced F-15's, particularly when used in conjunction with AWACS, could be used by Saudi Arabia to help settle any number of old scores in the Middle East. When its range is extended

through the addition of conformal tanks and the use of KC-707 tankers—which can refuel AWACS planes as well as the F-15's and the F-5's which the Saudis already have—the Saudis could fly to and engage in aerial combat virtually anywhere in the Middle East, Persian Gulf and Indian Ocean region and maybe even beyond that part of the world.

When the AIM-9L Sidewinder, a state-of-the-art, air-to-air missile is added to the F-15, the aircraft's inherent force projection capability will be enough to shake up any neighboring state's defense planning. The Sidewinder is the best we have and Colonel Qadhafi can testify to its effectiveness because two of his planes were shot down with them.

My second reason for opposing the sale is based on the nature of the Saudi Government. A variety of Saudi actions and threats make me feel strongly that although they are adequate partners when our interests coincide, when our interests differ, they are unwilling to compromise or to be flexible. This lack of willingness to accommodate in order to attain long-term advantages can be seen in the issue which faces us today.

I firmly believe that many votes in this body might have changed had the Saudis publicly given assurances that they welcome cooperation with the United States instead of forcing the administration to say very, very quietly that such assurances exist, albeit not officially, and that even if there are no assurances, we have ways of making the AWACS dysfunctional. But the fact is, the Saudis seem to have insisted on the United States selling it five AWACS precisely because they want to remove American control. Otherwise, you would think they would be content with the considerably cheaper and more effective option of keeping American-operated AWACS in Saudi Arabia.

Other examples of this lack of flexibility impact directly on the central U.S. goal of maintaining lasting peace and stability in the Middle East: Saudi Arabia has condemned the Camp David accords. Saudi Arabia finances the PLO to the tune of hundreds of millions of dollars per year. As recently as January of this year, Saudi Arabia called for a holy war against Israel. Saudi Arabia suspended diplomatic relations with Egypt and led the Arab boycott of Egypt. Saudi Arabia has blocked Israeli ships from using the Suez Canal.

I suspect that this inflexibility is due to a variety of factors, none of which is reassuring. Perhaps some of it is inherent in the Arab/Moslem culture. Or perhaps the Saudis do not see the Soviet Union as a significant threat. I have had many people explain this inflexibility to be a sort of facade that the Saudi leadership puts on in order to appease its followers.

This to me is probably the most disturbing of all possible rationales because it points to a basic source of instability in the Saudi regime—an instability that is reminiscent of the power base which caused the Shah of Iran's downfall and the rise of the Ayatollah Khomeini. The

Saudi regime has already faced riots in its oil-rich eastern province and has had to handle—and none too efficiently, I might add—the seizure of the mosque at Mecca. The risks attached to loss or misuse of the top of the line items of technology which are included in this package are too great to justify their sale to a regime with these problems of instability and inflexibility.

My third reason for opposing the sale involves the content of the deal which the administration struck with the Saudis. The process of transferring high technology American weapons to Saudi Arabia began in 1978 with the sale of the F-15's. At that time, President Carter made essentially the same arguments that the Reagan administration has been making. I could not then accept the proposition that dramatic increases in Saudi Arabian weapons' capabilities would promote stability in the Middle East, just as I cannot accept that argument now.

However, when President Carter lobbied Congress on the original F-15's sale, assurances were given that AWACS and advanced Sidewinders would not be sold to the Saudis. Furthermore, in a May 9, 1978 letter to the Senate Foreign Relations Committee, Secretary of Defense Brown gave specific assurances regarding the limitations of the offensive capabilities of F-15's to be sold to the Saudis.

Among these limitations were the decision not to supply conformal fuel tanks or tankers which could refuel the F-15's. Specifically, Secretary Brown stated:

Saudi Arabia has not requested nor do we intend to sell any other systems or armaments that would increase the range or enhance the ground attack capability of the F-15.

Two points must be made regarding these assurances. First, if these assurances had not been made, the original F-15 sale would probably not have been approved. Yet, now the Reagan administration is violating those assurances without showing any specific need for violating them. These assurances could be kept by retaining the currently operative arrangements of maintaining American-controlled AWACS in Saudi Arabia. Second, the Saudis accepted the constraints imposed by those assurances, but now they are insisting that the United States is somehow obliged to remove these constraints. I cannot help but wonder when such demands will end.

During the campaign, President Reagan repeatedly criticized the Carter administration for not bargaining effectively. Unfortunately, the example of this sale indicates that President Reagan did not learn the lessons which were recognized by candidate Reagan. The bargain struck with the Saudis is one sided.

In return for our most sophisticated weaponry, we receive virtually nothing. We receive no assurances that the Saudis will assist in the Middle East peace process. We receive no assurances that the Saudis will move toward recognition of Israel. We receive no assurances that the Saudis will stop financing the terrorist activities of the PLO. We receive no commitment to permit the stationing of American troops and equipment on Saudi

soil to make our defense of the Persian Gulf effective, and, unlike the original sale of F-15's, we do not even receive assurances that this will be the last Saudi demand for advanced U.S. weaponry.

Frankly, I do not understand why the administration did not receive assurances along these lines. I recognize that the administration is attempting to pursue an evenhanded policy in the Middle East, and I fully endorse a strategy, but this lopsided sales does not accomplish that end.

Perhaps if the Saudis had been approached with a proposal involving joint control of the AWACS early on in the game, they would not be so locked into one position. Other options which might have made this sale more palatable but which apparently were not explored include selling the less powerful Hawkeye airborne radar system, leasing the AWACS or deleting or separating into two packages the items included in the proposed sale.

Perhaps the best alternative that the administration could have pursued was to reject the idea of selling these highly advanced complex pieces of equipment which are designed to be used against an external threat and concentrated instead on assisting the Saudis in dealing with internal disruption. Currently the Saudis have turned to Pakistani mercenaries to help deal with these types of threats. Adm. Stansfield Turner makes this argument very persuasively and I will ask at the conclusion of my remarks that his April 23, 1981, column from the Washington Post be printed in the RECORD.

Mr. President, I sincerely hope that if any lessons are learned from the months of debate about this sale, one such lesson will be that the President must work with Congress in making decisions which have such sweeping ramifications. In negotiating this sale, the administration made an unwise commitment to Saudi Arabia which, under law, Congress must evaluate.

Now the President argues that to deny his request will undermine his foreign policy. But Congress has a constitutionally mandated role in making foreign policy, and the President must not forget that role. This is a nation of laws, and the President is not above them. We should not ratify a bad decision simply because the administration made it. We would be abdicating our responsibility to the law and to the people who elected us were we to support a President regardless of what he does.

In sum, Mr. President, the sale of AWACS and F-15 enhancements is a bad idea. It adds another element of instability into the Middle East which could easily prove disastrous. It exposes our most sophisticated weaponry to capture by enemy forces. And, it is a bad bargain to boot—a poorly conceived and negotiated agreement that the administration rushed into without due consideration.

Mr. President, I ask unanimous consent that along with the Stansfield Turner article, a newsletter which I sent to my constituents and a recent Washington Post article by George Will be printed at this point into the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

No to AWACS
(By Stansfield Turner)

For more than 20 years, the United States helped the shah of Iran to build that country into the strongest military power in the Middle East. The shah's taste for the most sophisticated military hardware in our inventory was legend, and his shopping list was long, although Iran, a nation of 36 million, lacked the technical expertise to maintain and fully use the equipment it bought. Accordingly, it also had to purchase foreign technical help and support to keep its military machine running. We all know what happened.

In 1978, the Carter administration, with the consent of Congress, agreed to sell our newest and most advanced fighter aircraft, the F15, to Saudi Arabia. Because of the potential threat to Israel, Congress was explicitly promised that we would not also sell the Saudis the external fuel tanks that would extend the F15's range, or bomb racks that would turn it into an attack aircraft. By the spring of 1980, the Saudis were back asking for these external equipments as well as the super-sophisticated Airborne Warning and Command Aircraft, AWACS. AWACS is a Boeing 707 with a large rotating radar antenna on top and as vast complex of computer systems inside. It detects other aircraft at great distances, and tracks all air activity within its zone of coverage.

The Saudi national for their need for these additional F15 equipments and AWACS was that their situation had changed since they contracted for their F15s in 1978. Specifically, Iran had fallen into less friendly hands, and the Soviets had invaded Afghanistan. It would, therefore, be in the best interest of both the United States and Saudi Arabia—unquestionably a pro-Western force in the Middle East—for the Saudis to strengthen their ability to counter any other hostile moves in the region.

Their real concern, which was not a part of their argument, was that two years had elapsed and the Saudis had not seen enough progress on the Israeli-Palestinian issue. To test our resolve to push for a solution acceptable to the Arabs, the Saudis were asking us to take an action that would be opposed by Israel. It was one way to test whether we would eventually pressure Israel into making concessions on the Palestinian question. The Saudis were also buying time for themselves with the radical Arabs. By obtaining such a visible symbol of U.S. support, they could demonstrate to the radicals that their limited association with the United States had value. They thereby hoped to ward off additional pressures from the Arab radicals to break with the United States or even to use the oil weapon as a means of pressuring the United States to force concessions on Israel.

Having given the Saudis the F-15s in 1978, it would be difficult to deny them the extra equipments under the present circumstances. Admittedly, long-range F-15s and the AWACS in Saudi hands will present some added risk to the Israelis, but they are fully capable of handling it.

Whether we should permit the Saudis to purchase AWACS is another question. The Saudis are our friends. Providing them with AWACS would not be a friendly act because it would not be in their best interests. It is such a complex piece of military equipment that there is no way the Saudi military establishment could operate or maintain a fleet of them on its own. Saudi Arabia has only 4 million people on which to draw and has a lesser level of education than Iran. Even with extensive outside technical assistance, sustaining the AWACS would be a se-

vere drain on the Saudi military technical resources. In the long run, they would resent the fact that they could not operate the AWACS and that they remained dependent on us.

More important, it would distract the attention of the Saudi leadership from more urgent military tasks. The most likely threats to Saudi Arabia are internal disorder or rebellion and guerrilla warfare, encouraged and supported by its neighbors. It would be wishful thinking to believe that a nation in as great a state of flux as is Saudi Arabia today would not be subject to domestic unrest or subversion. When such troubles develop, the Saudi security forces must have the capability of grappling with them.

In November 1979, Saudi military and domestic security forces proved themselves quite inept in quelling a minor disruption at the Great Mosque in Mecca. This was apparently a purely domestic matter, but in the future the Saudis must worry about subversion fomented by South Yemen, where the Soviets have a strong foothold; disorders in the vital oil fields, where there are large numbers of Shia Muslims who may be responsive to the Khomeini revolutionary movement; and perhaps even armed clashes with neighboring Iraq. The Saudis are not well prepared for any of these contingencies today. They have turned to Pakistan to supply mercenaries to help them, but the monarchy should have military and internal security forces of its own that are loyal and under its full control.

Against this background, it would be irresponsible for us to help them prepare to defeat a sophisticated air threat, for which the AWACS was designed and which has a low probability of occurring, when they are incapable of handling the more elementary threats of insurrection and guerrilla warfare that are highly probable. As friends, we should try to draw their attention to the realities of their situation. They do not need the AWACS nearly as much as they need other forms of military equipment and training. There is no way they can absorb AWACS into their military structure without detracting from their primary concerns. Even if there are short-term advantages to the United States in establishing some continuing military presence on the Arabian peninsula through the provision of AWACS, we should forgo that in favor of doing what a genuine and long-term friend would do: Be frank and put the friend's interests up front. That is the only way to protect our interests, anyway. Clearly this will not be an immediately popular response, but friends should not aspire to popularity.

We can mitigate the impact on the Saudis of turning them down on AWACS. We could give them a squadron of F15s immediately, several years ahead of the delivery of those they are purchasing. The U.S. Air Force would have to maintain and operate these for them for several years while Saudi pilots and mechanics complete their training. The Saudis, however, would see that we are serious about helping them all we can. They would also see, in time, that the way to be a friend is to be honest and frank rather than to say yes to an ill-advised request.

COMMITTEE ON APPROPRIATIONS,
Washington, D.C.
AWACS/F-15 SALE HARMFUL TO U.S.
INTERESTS

I recently met with President Reagan to discuss the proposed sale of AWACS and the F-15 enhancement package to Saudi Arabia. Our frank and open exchange explored in detail the advantages and disadvantages of the sale. Although the President clearly articulated the Administration's point of view, I came away from the meet-

ing convinced that this sale would neither serve American strategic interests or promote the peace in the volatile Middle East.

I have given much time and thought to this decision. I inspected the AWACS-equipped plane which the Administration made available to Congress. I have listened carefully to Administration briefings and to the views of authorities on both sides of this controversial issue. I read letters from and talked to Arizonans who favor and who oppose the proposed sale. I have done my best to support the President in the past. In fact, in my conversation with the President, I proposed modifications to the sale more in keeping with U.S. security interests in the Middle East. Because of the President's previous commitments to Saudi Arabia, he feels that any meaningful change is unacceptable. I am firmly convinced that the proposed sale of AWACS planes and F-15 enhancements to Saudi Arabia would be harmful to vital American interests in the Middle East. I would like to take this opportunity to tell you my reasons for opposing the sale.

AWACS, F-15'S AND SIDEWINDER MISSILES ARE
POTENT WEAPONS

While the AWACS have been portrayed as a defensive weapon, its real value is as an airborne command and control center. AWACS could coordinate a multi-faceted air attack while simultaneously directing defensive efforts against counter-attack. Traditionally in the Middle East, Israel's air superiority has, in the past, offset its 100-to-one disadvantage in manpower, thus preserving a rough military balance in the area leading to a modicum of stability. The AWACS sale could profoundly affect that balance and precipitate a dangerous regional conflict.

AWACS, particularly when used in conjunction with F-15s or other weapons, could be used by Saudi Arabia to help settle any number of old scores in the Middle East. For example, the AIM-9L Sidewinder missile, 1,777 of which are included in the proposal package, is a state-of-the-art air-to-air missile. It's the best we have, and its effectiveness was shown recently by the U.S.-Libyan air battle. This missile, and the added fuel capacity which will also be supplied if the proposed sale is completed, will make the Saudis' F-15 potent foes in any air conflict.

HIGH TECHNOLOGY AMERICAN WEAPONS MUST
BE UNDER SAFE CONTROL

The process of transferring high technology American weapons to Saudi Arabia began in 1978 with the sale of 56 F-15s. At that time, President Carter made essentially the same arguments as the new Administration. I could not then accept the proposition that dramatic increases in Saudi Arabian weapons capabilities would promote stability, and I cannot accept it now. When President Carter lobbied Congress on the original F-15 sale (which I voted against) assurances were given that we would not sell enhancement packages in the future; that is precisely what the Administration now proposes. At that time, the Saudis accepted the constraints imposed by those assurances, and it is a widely held view that without these assurances the initial F-15 sale would not have been approved.

The only precedent for the proposed sale of the AWACS, our most sophisticated warning and battle control system, was set in 1977 when the sale of AWACS to Iran was approved. Had the delivery of the sale occurred prior to the Iranian revolution, AWACS would be in the hands of the Ayatollah Khomeini and who knows who else.

We do not sell AWACS to our NATO allies—we maintain American control. Yet, the Administration is now willing to give up that control to a regime which is not only unstable

politically and thus subject to overthrow, but a regime that has consistently opposed the Camp David peace process and which has financed the terrorist activities of the Palestinian Liberation Organization in the amount of \$400 million last year alone!

SAUDI ARABIA GETS MUCH AND GIVES LITTLE

During the campaign, President Reagan repeatedly criticized the Carter Administration for not bargaining effectively. Much of that criticism was warranted, but unfortunately President Reagan's Administration has struck a very one-sided deal with the Saudis. In return for our most sophisticated weaponry, we receive virtually nothing. We receive no assurances that the Saudis will assist in the Middle East peace process; we receive no assurances that the Saudis will move toward recognition of Israel; we receive no assurances that they will stop financing the terrorist activities of the PLO; we receive no commitment to station American troops and equipment on Saudi soil to make our defense of the Persian Gulf effective, and, unlike the original sale of F-15s, we do not even receive assurances that this will be the last Saudi demand for advanced U.S. weaponry.

Without consulting Congress, this Administration made an unwise commitment to Saudi Arabia which, under the law, requires Congressional approval. Now, the President argues that to deny his request will undermine his foreign policy. But this is a Nation of laws, and the President is not above them. Surely, we should not ratify a bad decision simply because the Administration made it. I would be abdicating my own responsibility to the law and to the people who elected me were I to support a President regardless of what he does.

In sum, the sale of AWACS and F-15 enhancement is a bad idea. It exposes our most sophisticated technology to capture by enemy forces. It adds an element of instability to the Middle East which could easily prove disastrous. And, it is a bad bargain to boot, a poorly conceived and negotiated agreement that the Administration rushed into without due consideration.

THE WORST HAS ALREADY HAPPENED

(By George F. Will)

Proof of the capacity of the proposed AWACS sale to cause dreadful developments is that it has awakened the sleeping pedagogue in me. The pedagogue thinks the nation should define its terms, especially those that denote the things it covets, such as "peace" and "moderation."

If "peace" means simply the absence of armed conflict, then peace is a clear-cut concept, but it is a classification that does not classify in a way compatible with common sense. The United States has not known peace in any meaningful sense since the first week of December, 40 years ago. Thus the president's strategic arms proposal (MX, B1 and the rest) should be understood as another maneuver in what John Kennedy called a "long twilight struggle," countering maneuvers of arms by the enemy. The president's proposal—to deploy a new capacity for violence, for the purpose of countering the enemy's capacity—is not war, but it is indicative of a condition closer to war than to peace.

Similarly, Israel has never known a day of peace. Israel has suffered four wars but the intervals between have not been peace. Saudi Arabia, whose "moderation" is cited by proponents of the AWACS sale, is among the foremost contributors to the climate of war and, hence, to the destabilization of the region.

In his letter offering assurances to senators, the president says he would cancel the sale if "the Saudis adopt policies which are disruptive to prospects for stability of the region and detrimental to U.S. national interests."

That statement implies that the Saudis have not hitherto adopted such policies. The statement is an example of the deceptions, including self-deceptions, the administration has been driven to in its search for rationalizations of the sale.

The Saudis have relentlessly excoriated the Camp David agreements. They have persistently undermined the peace process. They have financed the transformation of the foremost terrorist organization, the PLO, into a conventional army in Lebanon. They have called (in January) for a "holy war" against Israel. They have vigorously opposed any military bases on the Arabian peninsula and the Gulf (although the Soviet Union has a substantial presence in Syria and South Yemen). They have pressured Oman to be less hospitable to the United States.

They denounced the hostage rescue mission in Iran as "American military aggression." They raised the price of oil more than \$20 a barrel between the end of 1978 and the beginning of 1981. Their oil minister recently threatened a \$60-a-barrel price if oil companies would not reduce inventories. And they are the hosts of Idi Amin (who is not in Libya, as George Bush charged when reaching for definitive proof of Libya's immoderation).

Worse than what will happen when the president wins or loses is what already has happened: our political language, and hence our capacity for clear thought and sensible action, has been damaged by the administration's need to ascribe moderation to Saudi Arabia. The administration also has manfully, but unconvincingly, celebrated the "stability" of Saudi Arabia, a nation undergoing pell-mell modernization, with low literacy and 75 percent of its labor force consisting of foreigners.

Some defenders of Saudi behavior say the regime is not immoderate, it is just not brave. They say the funds for the PLO are unavoidable "protection" payments. They say the Saudis are too weak and uncertain entirely to resist the radicalism in the region. But if true, that argument undermines the argument in support of Saudi "stability."

There has always been one, but only one, good argument for supporting the sale: the president (as distinguished from his aides, who concocted this misadventure) does not deserve, and the country cannot afford, another blow to the believability of U.S. undertakings. The argument is not "My country—or my president—right or wrong" (which, as Chesterton said, is like "My mother drunk or sober"). But there are times, and this may be one, when it is more important for the executive to be effective than correct.

The administration should be prepared, if it wins, to issue a statement that is both reassuring and admonitory. It should reassure Israel and should admonish the Saudis not to believe what is, by now, all too easy to believe: that the United States expects no reciprocity for its favors.

When the Senate Foreign Relations Committee was considering the sale, The Post carried a large front-page photo of two of the president's supporters conferring: Sens. Larry Pressler (R-S.D.) and Charles Percy (R-Ill.). The president should wonder about a Middle East policy that depends on the perceptions of Percy, who thinks the PLO's Yasser Arafat is a moderate, and Pressler, who is not famous for constancy on behalf of the president's, or other, foreign policy views.

MR. BIDEN. Mr. President, I yield 5 minutes to the Senator from Ohio.

THE PRESIDING OFFICER. The Senator from Ohio.

MR. METZENBAUM. Mr. President, I state once again—and in the strongest terms—my opposition to the sale to

Saudi Arabia of the most lethal and sophisticated air combat weaponry in this Nation's arsenal.

From the beginning, I have opposed this dangerous, shortsighted, and self-defeating sale.

I have spoken out against it, in public and in private.

I have hoped that the Reagan administration would come to see what to me and to many others is obvious—that this sale runs directly counter to our Nation's fundamental interests.

I hoped that at the very least, the debate would focus upon the proposal's merits—just as it did in 1977, when congressional opposition forced the Carter administration to abandon its own proposed AWACS sale to Iran.

But that has not happened.

Instead, the Reagan administration has chosen to make of this sale a kind of political arm wrestling contest—a test of strength and strength alone.

According to press reports, all manner of political deals have been offered to Members of this body.

We have been told that the President's credibility is at stake, and we have even heard from the President himself that loyalty—loyalty to the country—somehow demands that we blindly support this disastrous escalation of the arms race in the Middle East.

But when we go beyond the rhetoric and when we put aside the strong arm tactics, I believe that one thing is clear—the case for this sale cannot stand up to serious examination.

Let us first remember, Mr. President, that the sale of AWACS and the so-called enhancement package is built upon a foundation of broken promises.

On May 9, 1978, for example, when the full Senate was about to consider the sale to Saudi Arabia of 60 F-15 fighters, Chairman Sparkman of the Foreign Relations Committee received from then-Defense Secretary Harold Brown formal assurances that Saudi Arabia would not receive the very equipment that is in the package before us today. Wrote Secretary Brown:

Saudi Arabia has not requested, nor do we intend to sell any other systems or armaments that would increase the range or enhance the ground attack capability of the F-15.

Similarly, in a letter dated February 16, 1978, to Congressman LEE HAMILTON, then Assistant Secretary of State Douglas Bennett had this to say about the AIM-9-L missile.

The Saudi Air Force is not scheduled to get the AIM-9L all-aspect Sidewinder missile which will be carried on United States Air Force F-15's.

And in addition, Mr. Bennett stated:

An F-15 sale will not lead to the sale of E2C or E3A (AWACS). The F-15 has an excellent radar. Were the Saudis to purchase an aircraft with less effective radar than the F-15, they would be more likely to seek an airborne radar system.

In 1978, in other words, the Saudis not only were not going to get AWACS—they did not need it.

On June 27, 1980, in response to reports that the Carter administration

was preparing to move away from its promises to the Congress, more than two-thirds of the Senate signed a letter to the President, urging him "to reject any such requests by Saudi Arabia for the sale of additional weapons and equipment."

And, I point also to a statement by Henry Kissinger. With regard to reports that a new sale had been agreed upon with the Saudi Arabians, he responded as follows to a question that I put to him at an Energy Committee hearing:

My instinct would be that we should stick with the assurances that were given to the Senate at the time that the sale was made. My recollection was that firm assurances were given to all the parties at that time.

And "all the parties" certainly included the Saudi Arabians.

But, Mr. President, nobody was more outspoken in criticizing the Carter administration on this issue than Mr. Carter's Republican opponent in that year's election.

On September 3, 1980, in a speech to the B'nai B'rith forum in Washington, D.C., Ronald Reagan addressed the question as follows:

In 1976, candidate Jimmy Carter said: "I am concerned with the way in which our country, as well as the Soviet Union, Britain and France have poured arms into certain Arab countries—five or six times more than Israel receives."

But it was Mr. Carter who agreed to sell sixty F-15 fighters to Saudi Arabia. To get the Congress to go along, he assured these aircraft would not have certain offensive capabilities. Now, the Secretary of Defense tells us he cannot say whether this commitment to Congress will be honored.

Today, candidate Reagan is President Reagan—and we have a definitive answer to that question. Unfortunately the answer is "no." The administration will not keep that commitment.

Mr. President, I can understand the sense of urgency which the administration feels about strengthening our position in the Persian Gulf region. But let us look at the implication for that position of providing the Saudis with this advanced hardware.

First, let us remind ourselves of just what this equipment is.

The F-15—the Strike Eagle—is not designed as a status symbol.

It is not just something to fly over a crowd on this or that country's independence day.

The F-15 is the world's finest fighter aircraft—by far the most sophisticated, deadly plane in the world today, and the AIM-9L missile is the perfect complement for the F-15.

The AIM-9L does not require a skilled pilot who can maneuver behind his enemy, and when directed by sophisticated command and control equipment like that aboard AWACS, the AIM-9L can permit one aircraft to destroy numerous opponents.

In fact, according to 12 active duty U.S. Air Force F-15 pilots who wrote to Congressman TOM LANTOS to protest the sale of these missiles to Saudi Arabia, the technology embodied in AIM-9L is the critical margin of superiority that gives our pilots a chance to fight and win against superior Soviet numbers. The Air Force officers wrote:

We as pilots cannot be expected to fight against the overwhelming numbers of Soviet aircraft equipped with a compromised version of our AIM-9L when we know how effective the missile is.

Those officers are right. Yet the administration wants to take the chance of compromising the AIM-9L. And they are willing also to give the Soviets a chance to gain access to something else we know they do not have—and that is the sophisticated technology embodied in the top secret system called AWACS.

In 1977, the Congress refused to sell AWACS to the Shah of Iran.

We refused to sell in spite of the fact that the sale was presented to us as essential to the stability of the Persian Gulf.

It was presented in virtually the same terms as those in which the Saudi sale is being presented today.

And it is just as great a mistake in 1981 to sell AWACS to Saudi Arabia as it was in 1977 to sell it to Iran.

Today, just as in 1977, an American administration is proposing to send these instruments of death to the one place in the world where they are most likely to be used.

In a little more than 30 years, Israel and the Arab nations have fought four bitter, bloody wars.

Saudi Arabia has participated in three of them.

In 1948, in Israel's war for independence, 21,000 Israelis and 40,000 Arabs were listed as killed, wounded, or missing.

The toll for the 1956 war was 1,300 on the Israeli side and nearly 13,000 for the Arabs.

In the Six-Day War of 1967, Israel took more than 5,500 casualties and inflicted nearly 18,000 on her enemies.

And in the last round, the Yom Kippur War of 1973, losses on both sides grew dramatically—12,000 for Israel, 36,000 for the Arab countries.

Saudi participation has not been extensive—but only because the Saudis have not had much to contribute.

With this sale, they will have a military contribution—a major contribution to make in any future Middle East conflict.

I have heard the argument that the Saudis would not dare to attack Israel. By themselves, perhaps not.

But in a joint war of the Arab nations against Israel—a war like the one that was launched in 1973—it would be almost impossible for the Saudis to stay out.

The Saudis say that the sale is a litmus test of our friendship.

But what, I wonder, would be the litmus test of Saudi solidarity with the Arab cause?

I think there is no question about that. It would be participation—full participation—in whatever joint effort might be undertaken.

Consider what the Saudis themselves have to say about their own role. In April 1978, shortly before this body voted on the original F-15 sale, Prince Fahd gave an interview to the French magazine *Paris Match*.

The Prince stated:

Saudi Arabia allocated all its forces and strength to bring about victory of the Arab

rights, their honor and all that is sacred in their eyes . . . this means that the task entrusted to our army is not only to protect the kingdom, but that it could intervene anywhere that our national duty commands. Our army was in Syria—we have units in Jordan . . . all this shows our readiness.

Prince Sultan, the defense minister, told *The Christian Science Monitor* around that same time that—

All we own is at the disposal of the Arab nations and will be used in the battle against the common enemy.

Are those quotes outmoded?

Not at all.

In January of this year, Saudi Arabia hosted an Islamic summit conference that opened with a prayer for divine assistance to help the Moslems "cleanse Jerusalem of Jews."

That same conference concluded with a call, issued from Islam's holiest place by the Saudi king himself, for a "Jihad" or holy war against Israel.

And it is Saudi Arabia that has provided the PLO over the past several years with \$400 million to engage in their terrorist activities.

Under those circumstances, why is it that we find ourselves so pressured to vote to make this sale to Saudi Arabia? What has occurred that causes this sale to be so necessary?

The argument is made that the reason it must be made is to enhance and protect the reputation of our President. I have great respect for our President. I want our President to stand preeminent among the leaders of the nations of the world with no loss of respect whatsoever. But I do not believe that the U.S. Congress can be called upon to approve a sale of military equipment to a foreign nation merely because a commitment of that kind had been made. That is not a sufficient reason.

Mr. President, by providing Saudi Arabia with this capability, the administration is issuing an open invitation to the Arab militants to force Saudi Arabia's hand in any confrontation with Israel—or between other countries in the region. Let us not forget that Iraq is at war with Iran and that Syria and Jordan have mobilized against each other on repeated occasions.

How could the Saudis refrain from involvement in regional conflicts? If they tried to do so, how long could the Saudi regime survive? And if it does not survive, how long will it take before America's best, most advanced weapons fall into the hands of the Soviet Union?

We should know better.

We should have learned that supersonic fighter planes cannot protect a government from internal opposition.

And we should have learned that it makes no sense to encourage foreign governments to invest in prestige items that do nothing to enhance their stability and their capacity to meet their real defense needs.

The Saudis may believe that they are buying prestige, that they are demonstrating their leverage over U.S. policy.

But what they are buying in fact is danger—profound danger for themselves and for the stability of their vital region of the world.

And what, Mr. President, does our country stand to gain through this sale?

Are the Saudis going to be grateful enough to join in—or at least not to impede—the Middle East peace process? The answer is "No."

Are the Saudis going to provide facilities for an American presence in the gulf? No.

Are they going to help pay for our investments in their security? Not a chance.

Are the Saudis prepared to recognize Israel's right to exist? Are they, in other words, going to begin acting like a responsible and mature friend and ally? The answer to all of these questions is a clear and unambiguous "No."

Mr. President, I do not oppose strengthening Saudi Arabia's ability to defend itself.

I do not deny that Saudi Arabia's security is a vital U.S. interest.

But I reject the notion that our relations with the Saudis must be a one-way street. We need the Saudis and their oil. But they need us as well. We are the key to their survival. And there is not a reason in the world why this country must bribe the Saudis with weapons to persuade them to sell us oil at \$40 a barrel.

The late President Sadat of Egypt understood that. Repeatedly, he urged our leaders to stop treating the Saudis with kid gloves. Require them, he told us time and again, to show due respect for America's political and military interests.

But that is not what we have done—it is not what we are doing.

This sale is a signal—a signal that we can be bluffed into acting against the Nation's own best interests.

And I believe, Mr. President, that the sale is a trap that could tragically ensnare all of us—Americans, Israelis, and Saudi Arabians alike—in a disaster whose consequences cannot be foreseen.

Mr. BIDEN. Mr. President, I yield 5 minutes to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

THE SAUDI ARMS PACKAGE IS NOT IN THE NATIONAL INTEREST

Mr. CRANSTON. Mr. President, I have worked hard in opposition to this sale and I will vote for the resolution disapproving it for three principal reasons.

First, I do not believe it is in the national interest of the United States to sell our most sophisticated military technology to a potentially unstable, non-aligned power. The danger of compromise of military secrets in our AWACS and our AIM-9L missile is just too great.

Second, I do not believe we should submit to another litmus test administered by a country which remains hostile to the Camp David peace process and maintains unremitting support for the terrorist PLO.

Third, I do not believe it serves our long-range interest in bringing peace to the Middle East to continue to lavish sophisticated weapons of war on both sides in that volatile region.

It is an oversimplification to refer to this issue as "the AWACS fight." There are many, many reasons why so many Senators believe this sale is contrary to our national interests. These interests go far beyond the control of AWACS. There is the Sidewinder missile, which contains

such very sophisticated technology. There are the assurances given to Congress and to Israel in 1978 that we would not enhance the offensive capabilities of the Saudi F-15's. There is the point made by the minority leader, Senator BYRD, that further erosion of Israel's technological edge will make it more difficult for Israel to be forthcoming and positive in fulfilling the hope and promise of the Camp David peace process.

There is the point made by Senator BYRD that the consummation of the biggest U.S. arms sales in history could force the Saudi to take actions contrary to U.S. interests so as to demonstrate Saudi independence of the United States both to radical Arab States and to Moslem religious fundamentalists within Saudi Arabia who oppose modernization, westernization, and the United States. There is the fact that spewing arms to both sides in the Middle East will not solve our security concerns there and specifically in the Persian Gulf—concerns which revolve more around internal instability than around the "Soviet threat."

And finally there is the basic fact that we should not be selling more and more sophisticated arms to the Saudis so long as they thwart key U.S. foreign policy objectives by rejecting Camp David, funding PLO terrorism, and leading the OPEC price gougers in hiking oil prices.

Many Senators feel they cannot support the sale of still more arms to Saudi Arabia not only because they oppose the enhancement of the F-15's offensive capabilities and the possible compromise of the AIM-9L Sidewinder missile technology, but also because of Saudi insistence on total control of the AWACS, control which we do not even grant to our closest NATO allies. To paraphrase the words used by Ronald Reagan when he opposed President Carter on the Panama Canal issue: "We built the AWACS. We paid for them. We should keep them."

If we sell the AWACS to the Saudis, they will pay us with our own dollars—dollars they have amassed from American consumers by raising the price of oil from \$2 to \$34 a barrel in recent years. Specifically, they raised the price from \$12 to \$34 since the Senate last submitted to a litmus test, amidst hopes for Saudi modernization, by approving over my opposition the 1978 sale of advanced fighter planes to the Saudis.

We have heard the argument floated by some administration officials in recent days that opposition to the Saudi arms package constitutes Democratic partisanship. The fact is that White House pressure tactics have fallen more heavily on members of the President's party than upon the minority. The White House has made the issue a partisan one in appeals made behind closed doors to Republican Senators. Yet, is it a partisan issue when more than 60 percent of House Republicans voted to reject the President's position? How is it a partisan issue when the principal sponsor of the Senate resolution is a Republican? How is it a partisan issue when 20 of the 54 Senators wrote the President in June saying "don't send the Saudi arms package to the Hill . . . It is not in our interests" were Republicans?

THE ROLE OF THE CONGRESS

The President has recently muddled the issue by stating that those who oppose him "are not doing their country a service."

It is my belief that those Senators who oppose the sale, notably those who have demonstrated the courage to withstand immense White House pressures to vote their conscience, are acting in the best interest of the country. It is not our duty, as U.S. Senators, to blindly follow the President when we believe he is wrong.

There is no article in the Constitution that states, "My President, right or wrong." The Constitution wisely provides for an independent congressional role in review of foreign policy decisions of great importance. The sale of \$8.4 billion of our most sophisticated hardware to a shaky, nonaligned regime is of such magnitude.

Congress has exercised its prerogative to review arms sales prudently. Never before has Congress blocked an arms sale. I think it is a mark of the unpopularity of this sale that it enjoys probably no more than a dozen really enthusiastic supporters in the Senate.

The role of Congress in forming an independent judgment on key foreign policy decisions is essential. If our international policies are to succeed, they must merit and enjoy the express support of the people's representatives in Congress.

I am confident that the Saudis, no less than the Panamanians and the Soviets, understand that a major agreement with the U.S. President is not a binding American commitment until ratified by the representatives of the American people in Congress. After all, the Saudis have bought \$37.5 billion in arms from the United States over the last three decades.

THE SAUDI ALTERNATIVES

I have heard the argument that we have to sell the AWACS to the Saudis or else they will just buy the British Nimrod. I do not accept this as a reason to support the arms package.

First, potential compromise of Nimrod technology would pose much less of a threat to U.S. security interests than would compromise of U.S. AWACS.

Second, the Saudis could have chosen to buy Nimrod a year ago and avoided all the acrimonious debate if all they wanted from the West was an air surveillance capability. The Saudis want more. In AWACS the Saudis seek a type of special military status—dependent control of our most sophisticated technology. They also want a type of legitimacy which would come from possession of yet another piece of top-of-the-line U.S. military technology.

Third, while the NIMROD may prove to be adequate for protection of the oil fields, it poses a somewhat smaller threat to Israel. It cannot be refueled in the air and thus has a shorter range. It also has fewer battle management stations.

The Saudis will require nearly a dozen NIMRODs to cover the same amount of air space that five American AWACS can patrol. The first NIMROD production

line will not deliver vehicles until 1986 at the earliest.

Fourth, one can always argue on arms sales issues that we should sell because if we do not somebody else will. But should we not keep our security interests, and our principles, foremost?

ISRAEL'S SECURITY

There are many additional reasons for opposing this sale. One is that the package would further erode the technological edge of our only stable, democratic ally in the Middle East, Israel. It is this technological edge which has allowed Israel to survive against overwhelming odds in the hostile and turbulent Middle East environment. This edge has been eroded each year as nations pledged to Israel's destruction continue to accumulate sophisticated Soviet and U.S. arms, which require little maintenance, arms which can be swiftly serviced, and which provide high performance even from low-skilled personnel.

This accumulation of arms in hostile hands leaves Israel more vulnerable than ever, less able to take greater risks for peace and more likely to undertake preemptive actions when her intelligence capabilities indicate that an enemy is about to strike. The enhancement package has been modified, supposedly to reduce the threat to Israel. But one cannot say now how Israel might be affected 5, 10, or 15 years down the road when confronted by the world's most advanced F-15 fighters with the world's most advanced missiles, with aerial refueling capabilities, and AWACS monitoring which could place five of their seven airfields under Saudi surveillance. It is easy for certain Senators to sit here and say "the AWACS and enhancement package poses no threat to Israel." If the Senators are wrong, they will survive. But Israel may not.

TECHNOLOGY COMPROMISE

Another concern about this proposal sale is the danger that secret U.S. technology may be compromised.

This is not an imaginary fear. We have already suffered more than one such setback. In the volatile Middle East, training manuals for systems such as the F-15 and the Phoenix missile, which we sent to Iran, were compromised due to the fall of the Shah.

We face the same risk if we send our Sidewinders and AWACS to a shaky Saudi regime. Ironically, the United States had intended to sell AWACS to the Shah, before his regime collapsed and the sale was canceled. The lag in the AWACS production line caused by the cancellation of the 7 Iranian planes was to be picked up by the Saudi order. So, in some respects what we are voting on today is whether to risk sending the Shah's AWACS to another unstable Persian Gulf regime.

And just how stable is Saudi Arabia—a nation moving nervously from feudal to modern times—the would-be recipient of our technological beneficence?

How shaky is the regime there? How worthy is the Saudi family of our confidence and trust?

I can best answer the first question by quoting briefly from an article by Stanley Hoffman, chairman of the Center for

European Studies at Harvard University. Mr. Hoffman writes:

Though the Saudi monarchy may be more deeply rooted than the Shah's regime or Mr. Sadat's rule, the kinds of forces that toppled the Shah and assassinated Mr. Sadat are at work in Saudi Arabia.

Its rulers could be replaced without a coup by members of a new generation of the royal family who might want to preserve its power by slowing down Westernization and appealing Islamic Fundamentalists—for instance, by reducing oil production and thereby the accumulation of revenues that disrupt traditional values and spread inequity and corruption.

Further, the regime could be toppled by its own military. It could be destroyed by fundamentalist tribal groups acting on their own or with outside help. It could be threatened by non-Saudi Arabs working in the country—Palestinians for example. There could be a coup or a protracted civil war.

Our weak energy policies oblige us to encourage the Saudis to increase production, thus promoting social and cultural tensions in their society. This also provides Riyadh with the means to buy expensive weapons, which would put the regime at the mercy of its military's insatiable demands while fueling resentments toward those who benefit from the accumulation of wealth.

We may surmise how widespread these resentments may be, particularly among Islamic fundamentalists, from the storming of the Grand Mosque of Mecca by 500 well-armed Islamic militants less than 2 years ago. That such a large band could acquire arms and organize under the watchful eye of the Saudi National Guard suggests that they had a number of supporters among the populace. That they were able to seize and hold the mosque under fire for more than 2 weeks tells us something about the effectiveness of the Saudi security forces.

REGIONAL STABILITY

None of the Arab nations has a tradition of constitutionalism, or orderly peaceful change of democracy. Each has a narrow popular base—the makings of political instability. Most are ruled by small economic and military elites, with no really viable middle class and with the masses of people living in poverty—the makings of economic instability.

The assassination of President Sadat occurred in the nation that is probably more stable than any other Arab land, including Saudi Arabia. And, as one expert put it, "if there is instability in Egypt it means the whole Middle East will be unstable."

Indeed the Middle East is a region of endemic instability—not the best place for our most sophisticated military technology.

The region's shifting alliances, periodic revolts and military coups, and its resurgent Islamic fundamentalism, make the Middle East, as another knowledgeable observer phrased it, a place where "anything can happen at any time."

Libya's wild Colonel Qadhafi seeks to spread Islamic radicalism throughout North Africa and the Middle East, and is trying to foment rebellion in Egypt. He has invaded Chad and threatens Sudan—a country that was wracked by civil war for its first 18 years of independence and whose President, al-Nimeiry, has already faced a number of coup and assassination attempts.

Iraq, where another arch Israel-hater, President Saddam Hussein faces Shiit Moslem opposition to his Sunni regime, is enmeshed in a seemingly endless war with Iran. Each nation is systematically and senselessly destroying the other's oil facilities, their major assets.

Chaos continues to reign in Iran where Khomeini's Islamic revolution has executed 1,800 people since mid-June—more than were executed in the entire world in 1980—and which has added to its pattern of irrational behavior the recent bombing of a Kuwaiti oil-gathering station.

Syria's President al-Assad, another of Israel's implacable foes, has 25,000 troops in Lebanon, wars on the Lebanese Christians, and is struggling against Sunni Moslem fundamentalist pressures on his corrupt minority Alawite regime.

Jordan's King Hussein, who was the target of assassination attempts in the past and survived a bitter civil war just 10 years ago, fears a takeover by Palestinians, who form the majority population of his kingdom.

THE SAUDI RECORD

The administration argues that the Saudi royal family should be entrusted with the largest-ever U.S. arms sale because they have been so "cooperative" and "moderate." But only when matched with unstable firebrands like Colonel Qadhafi and Saddam Hussein do King Khalid and the Saudi royal family look relatively moderate. By other more objective standards they are truly extremists who have taken a number of actions hostile to fundamental U.S. national interests. The Saudi record on issues of mutual concern is in fact one of the major reasons for opposition to the proposed arms package in Congress and among the American people.

The Saudis have:

First. Condemned the Camp David peace accord, broken diplomatic relations with Sadat, and led the Arab boycott of Egypt.

Second. Repeatedly called for a "jihad"—or holy war—against Israel.

Third. Supported three wars against Israel, and now remain in a state of war with Israel, whose existence as a state they refuse to recognize.

Fourth. Led the Arab oil boycott of the West in 1973 because of our aid to Israel during the Yom Kippur war.

Fifth. Led OPEC in astronomical price hikes in oil. A major factor in our towering inflation.

Sixth. Did their utmost to throttle our strategic petroleum reserve.

Seventh. Condemned our attempt to rescue our hostages in Iran.

Eighth. Refused to renew the U.S. lease on an air base at Dhahran on the Persian Gulf, and refused to lease us bases today that would enable us to protect Middle East oil fields.

Ninth. Gave refuge—apparently on a permanent basis—to the infamous Idi Amin who has been living comfortably in a villa outside Riyadh for the past year at Saudi expense.

Tenth. Pressed territorial claims on both Abu Dhabi and Oman, backed the Marxist-supported Dhofar rebellion, meddled with our arms supplies to North

Yemen, backed the Iraqi invasion of Iran and facilitated Soviet bloc military supplies to Iraq.

Eleventh. Signed the infamous, anti-American report of nonaligned nations which accused us of "aggression" and the Israelis of "barbarism" and which our U.N. Ambassador Jeanne Kirkpatrick branded "vicious lies."

Twelfth. Boycotted Sadat's funeral, thus showing yet again their disrespect for those who take risks for the sake of peace.

Thirteenth. Accused the United States of "medieval piracy" in North Africa.

Fourteenth. Bankrolled the terrorist PLO to the tune of \$400 million a year—most of the money that keeps it going.

Fifteenth. Bankrolled Syria to the tune of nearly \$800 million per year to support Syria's occupation of parts of Lebanon, to support Syria's backing of the most terrorist factions of the PLO, to support Syria's threatening move against Israel—with whom Syria maintains a state of war—through placement of surface-to-air missiles in Lebanon. Syria maintains a treaty of friendship with her major arms supplier, the Soviet Union, and unconfirmed reports indicate Saudi financing of a massive new Soviet-Syrian arms transfer.

Finally, despite special treatment in State Department human rights reports that whitewash Saudi behavior, the State Department admits instances of stonings, beheadings, severances of the hand, a "heavy stress on obtaining confessions," and the lack of habeas corpus or right to counsel. The Saudis do not permit freedom of speech, press, or assembly, political parties or labor union activities.

And the people who rule Saudi Arabia are guilty, according to Israeli Foreign Minister Yitzhak Shamir, of a "deeply rooted . . . fanatic hatred of Jews and Israel."

That is the "cooperative," "moderate" regime we are being called upon to support.

What have we gotten in exchange for our past help to Saudi Arabia? Some support in temporarily cooling tensions in Lebanon, but little else. What will they give us in exchange for the F-15 enhancement and the AWACS? Lower oil prices? No. Air bases? No. Peace with Israel? No. Repudiation of PLO terrorism? No.

This year, when President Reagan said the Saudis need AWACS because of the Soviet threat, the Saudi Oil Ministry, Sheik Yamani, said:

"No, the main threat is Israel." And a member of the royal family Chief of Planning for the Saudi Air Force, recently said in Los Angeles, "If we can't get what we want from America, we may turn to the Soviet Union to get it."

The administration has tried to "put a guilt trip" on the public and the Senate—to use popular vernacular—in the course of the current debate. We are made to feel that America's dependability, America's reliance as a friend and purveyor of weapons is at stake.

I think the emphasis has been wrongly placed. We should be concerned less with our reliability and our dependability and

more concerned about the dubious governments on whom we shower our military arms and technology.

It is their reliability, their dependability which I would question.

CONCLUSION

In the final analysis though, the issue is simply this: What are the long-term national security interests of the United States?

I am firm in my personal conviction that our national security interests demand that the Senate disapprove the proposed arms sale to Saudi Arabia. I will vote against this sale, with the hope that a sufficient number of my colleagues will join with me, and with the strong antisale majority in the House, to block its consummation.

Mr. PELL. Mr. President, I yield 5 minutes to the distinguished junior Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. MITCHELL. I thank my friend from Rhode Island.

Mr. President, the proposed sale to Saudi Arabia of \$8.5 billion in advanced military equipment should be rejected.

Although press and public attention has focused almost exclusively on the five radar warning planes—the AWACS—the proposal involves much more. Each of the three major parts of the package deserves attention and analysis.

First. The President proposes to include in the sale fuel packs and other equipment for the 62 U.S.-made F-15 fighter aircraft sold to the Saudis in 1978. When that sale was first proposed, President Carter promised the Congress that these fighters were to be used for defensive purposes only. Thus, the fuel packs and other equipment—which will more than double the range of the F-15 from 450 miles to over 1,000 miles—were not included. That promise is now being broken by the Reagan administration. If the sale goes through, the F-15's will be transformed from a defensive weapon into an offensive striking force capable of hitting any part of Israel from deep within Saudi territory.

Second. The second major component of the proposal is the advanced version of the Sidewinder missile. This is the most advanced air-to-air missile in the world. It has only recently been deployed on our own F-15's. It is so new that we have fewer than 5,000 of the missiles. Yet the President proposes to sell 1,177 of them, or the equivalent of 25 percent of our current national inventory, to Saudi Arabia.

The value of the Sidewinder to our Navy and Air Force aviators is great. It is such an effective weapon that 12 Air Force F-15 pilots saw fit earlier this year to urge a California Representative, Tom LANTOS, to oppose its sale. In a letter they stated:

We do not want the technology of the AIM 9-L to leak to the Soviets through lack of security in Saudi Arabia or through some closed door bargaining session. We at the user level can attest that the AIM 9-L thrusts the American fighter pilot a very large step ahead in air combat over any other military force. The AIM 9-L is superior

because it is a point and shoot weapon with excellent probabilities of success. The AIM 9-L is so superior that it gives the American fighter pilot a believable chance of survival when confronted with the overwhelming numbers of Soviet aircraft we must face. If we, as a military force, are to maintain a credible deterrent defensive posture with a minimum of dollars, why give our technological edge away? Certainly, we as pilots cannot be expected to fight against the overwhelming numbers of Soviet aircraft equipped with a compromise version of our AIM 9-L when we know how effective the missile is. We object to the sale of the AIM 9-L to Saudi Arabia.

The Navy's highest ranking officer, the Chief of Naval Operations, also believes that the distribution of the Sidewinder missile should be limited. On two occasions last year, he stressed to the Department of Defense the importance of this weapon. In one instance, he recommended that the Sidewinder be sold only to those close allies currently allowed to purchase it. In the second instance, he pressed for rejection of a Sidewinder sale requested by our most important ally in the Arab world, Egypt.

Just last month, the Secretary of the Navy sent a memo to the Secretary of Defense, in which he urged that the highest possible level of review be held in the future when our Government receives a request for the Sidewinder. The Navy Secretary stated:

The technology of the AIM 9L/9M series is too advanced to be given to countries who could compromise its effectiveness or endanger U.S. military or allied aircraft with direct use. If the Libyans had had the AIM-9L, the recent incident in the Mediterranean could have had a much different outcome.

The Secretary's fear that this U.S. equipment might fall into the wrong hands should not be taken lightly. The lesson of Iran is clear. We sold advanced U.S. weaponry to the Shah and much of it was lost when he was overthrown. Our Government in 1977 even agreed to provide him with the AWACS system. Fortunately for the United States, these planes had not been delivered prior to his downfall.

Third. The five airborne warning and control—AWACS—aircraft constitute the final component of the package. The AWACS utilize highly sophisticated radar technology that permits the aircraft to serve as both a warning and air control center. It took years and billions of dollars for the United States to develop. No one else in the world possesses equipment of comparable quality, especially the computer software. According to a recent report by the Senate Foreign Relations Committee, one of the highest priorities of Soviet intelligence is to gain access to the full AWACS technology.

The United States does not now permit any other nation to own and control AWACS aircraft. Our oldest, closest and most trusted allies—Britain, France, and other European nations—are permitted use of such aircraft only within NATO. There the AWACS are operated as part of a regional defense alliance. But the planes are always under ultimate U.S. command and control.

If we insist on a regional alliance and

ultimate American command and control when dealing with our closest allies, all with stable democratic governments in a relatively stable part of the world, it makes no sense to insist on anything less when dealing with Saudi Arabia—a feudal monarchy in the most volatile part of the world, subject to the intense and sometimes conflicting pressures of rapid industrialization and Islamic fundamentalism.

It should be emphasized that the United States already operates six AWACS in the Middle East—four over the Arabian peninsula and two over Egypt. Selling five of these planes to Saudi Arabia will gain us nothing in the way of intelligence or early warning against attack.

The administration argues that providing this vast quantity of military equipment to Saudi Arabia will contribute to stability in the Middle East. But recent history is to the contrary.

Our decade-long response to the weapons demands of the Shah did not bring stability to Iran, or to the region. It could not keep the Shah in power. It did not prevent violence in the Middle East.

During the decade of the seventies, the requests to Congress for more arms for Iran were invariably couched in terms of regional stability and American policy interests.

Today, the request for authority to sell very sophisticated weapons to Saudi Arabia is also being urged as necessary to maintain our mutual friendship, necessary to give the Saudis the means to protect stability in the region, and necessary to send a clear signal to the Soviet Union that we will not tolerate adventurism in the Middle East.

But the facts of this situation reveal no such imperatives.

There is certainly no reason to believe that the Saudis wish to embrace the Soviet Union in preference to ourselves, or that they would do so because of a failure to sell these weapons to them.

And there is surely no reason to believe that Saudi Arabia will stop selling us oil. National commercial interests appear to have a life of their own, virtually independent of other policies.

Take, for example, Libya. There is no nation on Earth more hostile to the United States. Every day, wild denunciations of our leaders and our policies originate there. Understandably, our response has not been friendly. U.S. fighters recently shot down two Libyan jets over the Mediterranean. Yet, to this very day, the United States purchases nearly half of all the oil produced in Libya. Even as he denounces us, Libya's dictator, Colonel Qadhafi, accepts our dollars and uses them to finance propaganda and terrorism throughout the world.

We need a program under which the importation of Libyan oil into the United States will stop. Such a program ideally should be part of a comprehensive U.S. Middle East policy.

In the absence of a policy which concentrates on the primary sources of tension in the region, Congress should take the initiative to insure that dollars originating in the United States are no longer

used to finance terrorist acts against our country and its allies.

We should also be engaged in an oil conservation and production effort which will reduce our reliance on foreign oil.

The importance of Saudi Arabian oil resources to our Nation's economic well-being has been dangerously exaggerated. We are led to believe that virtually all of our imported oil originates in the Middle East; that our national strength would be sapped if Saudi Arabia or other Mideast nations decide to cut off our supply.

The facts simply do not bear this out:

Today, we produce domestically between 60 percent and 65 percent of the oil we consume;

Saudi oil accounts for about 9 percent of our total oil consumption, and in fact, all Mideast nations provide only 16 percent of this Nation's total oil needs;

The remainder of the oil we import comes from other nations, friendly to the United States.

Consider a second example relating to economics, which is closer to home. No world leader is as regular or as strong in denouncing the Soviet Union as is President Reagan. Yet, one of his early acts after assuming office was to end the embargo on grain sales to the Soviets, imposed by President Carter after the invasion of Afghanistan. So we are once again bailing out the Soviets, permitting the failure of communism to be less evident than it otherwise would be.

The point is that just as consumers need someone to sell them goods, so also do producers need someone to buy their goods. This is true of our relationships with Libya and Saudi Arabia, especially Libya. Although the oil we buy from Libya meets less than 2 percent of our needs, it represents fully 40 percent of their production. In the case of Saudi Arabia, their oil meets about 9 percent of our needs, it represents 12 percent of their production.

As to the Saudi's "moderation" which the sale is supposed to insure, let us not forget that when we sold the Saudis 62 F-15 fighters in 1978—a major development at the time—the price of oil was \$12 a barrel. It reached \$36 a barrel this year. How "moderate" is a tripling of the price in 3 years? Especially following upon a quadrupling of the price (from \$3 to \$12 a barrel) in the previous 5 years?

The sale of the military equipment contained in this package will set a precedent filled with potential dangers. Once this sale occurs, how will we insure that the arms will not fall into the hands of our adversaries? How will we guarantee that the AWACS and F-15 equipment will not be used in a coordinated attack against an American ally?

The President's assurances in response to these questions are inadequate. No treaty relationship exists between the Kingdom of Saudi Arabia and our Government which will allow us to protect U.S. interests. President Reagan has publicly stated that we will not permit the U.S. equipment in Saudi Arabia to be compromised, but he gives no details as to how this would be accomplished.

The President provides no details because there are none to give. In fact, we

have no defense arrangements with the Saudi Kingdom.

The final argument made for the sale is that once the President makes an important foreign policy decision, we should support him; to do otherwise, it is said, will diminish his credibility abroad. Of all the arguments made in behalf of the sale, this is the weakest.

It is essentially an argument that in foreign affairs we cannot afford to be a democratic society. It urges Senators and Congressmen to abandon their independent judgment. It is, in the last analysis, contrary to our system of government and our national heritage.

At times democracy seems inefficient and disorganized. But one of its great strengths is that in an open society, where power is not wholly centralized, national policies cannot be adopted without free and critical debate. In this process, foolish and wrong ideas can be weeded out and rejected. Dictators have an easier time getting their policies adopted. But, without the healthy clash of ideas in an open society, they are deprived of an important safeguard against unwise policies. Thus, although their policies are easier to adopt, they are also much more likely to be wrong. For us to abandon this healthy process in foreign affairs would be shortsighted and ultimately costly.

This argument comes with particular bad taste from President Reagan. As candidate Reagan, he urged Senators to vote against both the Panama Canal and Strategic Arms Limitation Treaties when President Carter presented them for ratification. He told Senators then that they had a legal and moral obligation to oppose the President when they felt he was wrong. On this point, candidate Reagan was right and President Reagan is wrong; equally wrong is former President Carter, who makes the same argument, and who of all people, should know better.

The minority leader of the Senate, ROBERT C. BYRD, on October 21 discussed the sales package on the Senate floor. In his remarks, Senator BYRD forcefully called the President to task for proposing this sale prior to articulating his administration's Middle East policy.

A Middle East policy—by definition—is a policy which focuses on the major problems in the region. Any Israeli, any Egyptian, and any Saudi will tell you that the major problems in the Middle East emanate from the Arab-Israeli conflict. An effective Middle East policy must first and foremost address these problems and provide a framework for resolving the conflict.

President Reagan does not agree. To date his statements, his activities, indeed his Saudi arms sale proposal, are made not in the context of the Arab-Israeli conflict, but in terms of the differences between East and West, between the United States and the Soviet Union.

To quote Senator BYRD:

The central issue for American policy in the Middle East is the Arab-Israeli dispute, and not the Soviet threat to the region. This is not to say there is not a Soviet threat. Soviet influence, direct and indirect, is a primary destructive force throughout the region. The Soviets, through their proxies

and clients . . . are promoting instabilities which could be a primary cause of major war there. The American answer can only partly be the arming of our friends, for this does nothing to resolve the central irritation which is the Arab-Israeli dispute. We must take immediate action to settle the issues in that dispute, including the breathing of new life into the Camp David peace program.

President Reagan would be wise to heed these views which are shared by many Senators, including many of those who reluctantly will support his arms sale package.

The vote in the Senate will be very close, as the President, who is obviously very persuasive, pulls out all the stops. As a result, unfortunately, the Senate vote is becoming less a decision on the merits of the sale and more a decision based upon whether one supports or opposes the President.

The vote in the House of Representatives, where there was little Presidential lobbying, and where as a result the Members could vote solely on their best judgment, was instructive. There the sale was rejected by a vote of 301 to 111. Significantly, fully 60 percent of the Republicans in the House voted against the sale. Every Member of the Maine Congressional Delegation—both Representatives and both Senators—opposes the sale.

I oppose this sale first and foremost because it is not in the overall interests of the United States, and because it is unnecessary, it will not advance the cause of peace, and it is strategically unsound.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. MITCHELL. May I have just 1 more minute, Mr. President?

Mr. PELL. As a matter of policy, Mr. President, I am trying not to yield any more time, so I cannot do that.

The PRESIDING OFFICER. Who yields time?

Mr. PELL. At this time, Mr. President, I yield 5 minutes to the Senator from New York (Mr. D'AMATO).

"WHY I AM VOTING AGAINST THE AWACS SALE"

Mr. D'AMATO. Mr. President, I am casting my vote for the resolution of disapproval and against the proposed \$8.5 billion arms sale to the Kingdom of Saudi Arabia. I urge my colleagues in the Senate to do the same.

Some say that a loss on this sale would do irreversible harm to the President. On the contrary, it will strengthen the President's hand in dealing with the Saudis. Now, it looks as though we have knuckled under to Saudi pride; once Congress has spoken, the President can respond to the Saudis with a unified nation behind him.

We all agree that we must pursue a Middle East policy founded upon a clear understanding of the national interest of the United States. Our national interests in the Middle East are prevention of Soviet expansion into the area, and promotion of regional peace and stability in an atmosphere favorable to the West. Our policy seeks to serve those national interests by supporting democratic pro-Western nations, deterring adventurism on the part of radical regimes, and forging permanent friendly links between neighbors.

Mr. President, this is not a choice between Begin and Reagan, as some have put it. It is not now a choice between Israel and oil. Rather, it is a choice between courses of action which will either strengthen or weaken our country's security. I have studied all aspects of this proposal with deep concern. I have carefully weighed the arguments for and against the sale, and I have concluded that the sale undermines our policies and threatens our national interests.

I urge my colleagues to vote to disapprove the sale because it neither works to prevent Soviet penetration of the area, nor enhances regional stability. Simply stated, this weapons package does not give Saudi Arabia a credible capability to resist any major Soviet attack on their oilfields. There are too few AWACS to maintain 24-hour coverage for more than a few days. Then, all aircraft must be on the ground at the same time for required maintenance, making the system vulnerable to easy destruction. Also, even if the AWACS are flying, the 62 F-15 fighters form too small a force, even when combined with the F-5's the Saudis already have, to present more than token resistance to a major attack.

The package is more sophisticated than it needs to be to deal with threats from Iran, Iraq, or Yemen—a combination of Grumman E-2C Hawkeyes and ground radars could do that job. It endangers the already shaky stability of the Saudi regime. It also endangers regional peace.

Mr. President, in the last two Arab-Israeli wars, Saudi Arabia has participated by financing the Arab war effort. They were able to excuse themselves from any more than symbolic military participation because of their clear military impotence. Once we have sold them the most lethal and sophisticated military technology in the West, they will no longer have that excuse, assuming they would use it. Now, when the radical regimes come calling, asking the Saudis to demonstrate their allegiance to the Arab cause, the Saudis will probably agree to join in combat against Israel, using all of these fine new weapons we have supplied.

People say that the AWACS is not an offensive weapon, and that F-15's do not have bomb racks. That is a misleading argument, Mr. President. The AWACS is the best battle management system in the world. It can direct fighters on offensive as well as defensive missions. It is a true airborne command post, able, thanks to its advanced radar, computers, and communications equipment, to control an air battle. This gives its owner a tremendous advantage in war. Ask the U.S. Air Force. We plan to use AWACS that way, and it works like a charm in training.

The F-15's may not be able to drop bombs themselves, but they can certainly fly top cover for other Arab aircraft on strike missions. F-15's are the finest air superiority fighters in the world. Equipped with the conformal fuel tanks we are selling the Saudis, and the deadly AIM-9L Sidewinder missiles, they will have both the reach and the punch to successfully escort fleets of Arab Migs to their targets in Israel.

The proponents of the sale say that because there are no digital data links between the AWACS and the Arab forces, and because the Saudis and their Arab brothers do not share the same secure voices communication equipment, a coordinated attack is not possible. Maybe they could not do it the way the U.S. Air Force manuals say it should be done, but they can figure out ways to work around their problems. If they cannot figure out workable methods on their own, they certainly have enough money to hire experts to solve their problems for them. Given the recent example of American technicians working for Colonel Qadhafi in Libya, I am sure there will be no shortage of Western applicants for those positions.

At this point, Mr. President, we may have achieved what we should by trying hardest to avoid—a situation in which both combatants in a future Middle East war would be armed with American weapons, and would demand that we renounce our support for the other side. In other words, by selling this equipment to Saudi Arabia, we could well be setting up a future American foreign policy disaster—a forced choice between Israel and oil. I very strongly believe that now is the time to act to prevent us from ever having to make that choice. A Saudi Arabia armed with Nimrods and Mirages does not force us to make that choice in the event of another war. A Saudi Arabia armed with AWACS and enhanced F-15's will.

I cannot overstate, nor should we underestimate, the magnitude of the impact of having to make that choice. True, Israel could probably defend itself against a combination of an American-equipped Saudi Arabia and the radical Arab states. Israel would probably have to do as it did in the 1967 war—stage a preemptive strike. The AWACS would be destroyed on the ground, American personnel present to perform maintenance and training might be killed, and our domestic public opinion would be divided and inflamed. Do we want this? Is there any way we can afford to let this happen? I say no. This sale is an act of shortsighted foolishness, and one for which we could pay dearly in the not far distant future.

Indeed, the preemptive strike need never happen to put us in a terrible position. Once it is clear that a new war is possible, Saudi possession of these weapons gives them very, very great leverage over our policies. We do not have to stretch our imaginations far at all to envision the pressures and threats the Saudis could bring to bear on us. A simple shift in the deployment of AWACS or of their F-15's could provoke a major diplomatic crisis. We would be faced with fighting political and diplomatic battles like this one every few months. This sale greatly reinforces the power of the Arab oil weapon in Middle Eastern diplomacy. It provides the potential enemies of the West with a sensitive pressure point which can be used to our great disadvantage.

Remember, Mr. President, we are trying to use this sale as a political and diplomatic device to advance our interests.

What we are doing in the course of this debate is crediting Saudi Arabia with good motives—we are treating them as faithful allies when they have actually worked against us on many issues both in the Middle East and in the world. We cannot be sure that they will not turn possession of these weapons into a tool to be used against us. In fact, based upon their past performance, we have every reason to believe that they will use this potent arms package to force us to agree with their views on regional questions. If we look objectively at their policy goals, I think we would want to do everything we possibly could to avoid that.

They have caused great mischief in the area already. I predict that once they have possession of these weapons, they will become less cooperative and more independent of our influence. These weapons will become hostages to our good behavior and agreement with their policies. We cannot afford that, Mr. President. This is our last chance to look into the future, and to make a reasoned judgment on our national interests. I hope the Senate will agree with me that this sale is a losing gamble in the rigged poker game of Middle Eastern diplomacy. Let us not let Arab pride blind us to Arab conduct and policy.

In conclusion, I again ask the Senate to vote for the resolution of disapproval. We must exercise our independent judgment and uphold our responsibility as an independent branch of Government. We must stop this sale now.

Proponents of the arms sale have argued that selling the Saudis this arms package gives us an edge in responding to any Soviet attack in the gulf.

If the AWACS are already in place, we could use them as part of our forces to allow a quicker and much more powerful response to the Soviet attack. However, our country has received no explicit written assurances from Saudi Arabia that we would be permitted to take over and utilize the equipment in those circumstances. Quite the contrary, as British historian J. B. Kelley wrote in the Wall Street Journal, behind the proposed AWACS sale lies the "assumption" that Saudi Arabia is willing and able to serve as "the lynchpin of a defense system for the Persian Gulf."

In reality, however, as Kelley notes, "Saudi Arabia is the principal obstacle to such a system." Saudi Arabia has constantly refused to enter any military alliances with our country. Also, despite intensive efforts by our Government, the Saudis refuse to consider allowing United States-Saudi crews to operate joint AWACS.

Mr. President, there are other cogent objections to the sale. In the wake of the Soviet Union's clear display of its imperial ambitions in Afghanistan, Iran, Yemen, Syria, Lebanon, Libya, and Ethiopia, the United States must act decisively to protect its own security in the Middle East. The logical next step in strengthening America's position in the region would be to establish American air and naval bases in the Persian Gulf. But this cannot be achieved until Saudi Arabia decides to support that effort.

Saudi Arabia has been persistent in its refusal to participate in any form of

regional security arrangement. It has sabotaged our efforts to bring peace and stability to the region. Instead of joining our Middle East peace initiatives, it spurned the Camp David agreement. Instead of welcoming the courageous action of Egyptian President Sadat in signing a treaty with Israel, it cut its financial and diplomatic ties with Cairo. Instead of recognizing the growing Soviet threat to the region, it proclaimed that Israel was the greater threat. Instead of dissociating itself from terrorism, it lavished millions of dollars upon Soviet-trained and Soviet-armed PLO terrorists. Instead of supporting American initiatives to blunt Soviet thrusts into the area, it refused permission for U.S. bases or facilities on its territory.

Yet the myth of Saudi moderation persists. Let us, once and for all identify this myth for what it is, dangerous and misleading propaganda. The United States received nothing in exchange for the estimated \$34 billion in military supplies we have already sold to the Saudis. Not moderate oil prices, not positive support of our country's efforts to resolve the Arab-Israeli conflict and not bases so that our military forces can deter Soviet expansion. We have received nothing but litmus test after litmus test of our friendship. This sale would send a dangerous signal to the Arab world—that the United States values friendship so little that it believes it can be bought with technological baubles. It also tells the Arabs that there is no limit to the humiliating gestures they can demand of us in the name of testing our friendship.

Mr. President, the internal instability of the Saudi Arabian regime is a major factor against the proposed arms sale. When the Iranian Government collapsed in 1979, some of America's most sophisticated military hardware fell into the hands of the Ayatollah Khomeini and the KGB. In Saudi Arabia the royal family's vulnerability to subversion from within and without poses the real danger that Moslem extremists—or pro-Soviet insurgents—may turn that country into another Iran. Only this time, the prize might be the F-15, the AIM-9L Sidewinder and the AWACS.

Saudi Arabia is not safe from internal and external subversion. We know that many forces are at work to undermine the Saudi throne. Religious strife, caused by Islamic zealots who reject creeping westernization, seethes just below the surface. It erupted in Mecca in 1979, when a group of extremists with Soviet ties seized the Grand Mosque. According to a published report, the royal family suspected that some of its own military units were involved in the attempted revolt, forcing them to bring in other units from distant posts to recapture the mosque. According to the newspaper:

In the wake of the attempted insurrection, there was a wholesale replacement of military leaders.

Only a few weeks ago in Medina, scores of Iranians in a mosque were beaten by Saudi soldiers. Khomeini reportedly sent bands of his students on a subversive pilgrimage to Mecca, to stir

up trouble with Saudi Arabia's large Shiite minority. Thus we have an area beset by domestic strife and externally sponsored subversion, with anti-Western Islamic fundamentalists on one extreme and pro-Soviet dissenters on the other. This is not the appropriate country to become the sovereign owners of our most advanced weaponry. If anything, the temptation to revolt and depose the royal family will be even greater if this sale is approved.

Of all the bitter lessons that America learned from the Iranian debacle, surely one must be that we cannot afford to sell our sophisticated military hardware to unstable regimes. We dare not forget that AWACS is central to both American security and the defense of Western Europe. Recognizing the inherent instability of the regime, this body would be doing nothing short of risking America's security, and that of NATO, by providing Saudi Arabia with AWACS.

So great is concern about the potential loss of AWACS and Sidewinder technology to the Soviet Union that, earlier this year, 12 U.S. Air Force pilots wrote to Representative TOM LANTOS of California urging that the AIM-9L Sidewinder sale be blocked for just this reason.

Then there is the question of Saudi Arabian enmity toward our friend and ally Israel. Saudi officials have made no secret of their hatred of Israel and of their ultimate hope to eliminate the Jewish state. Five years ago, King Khalid told the New York Times:

When we build up our military strength we have no aims against anybody except those who took by force our land and our shrines in Jerusalem. We know what that is. We also believe that the strength of Saudi Arabia is a strength for the whole Arab and Islamic world. We always intended to make use of all military equipment that would build our military strength.

Mr. President, has the royal family changed its mind? Earlier this year, at a conference of Islamic nations, Saudi representatives led the delegates in a resolution calling for—holy war—against Israel.

Last June, the Wall Street Journal reported a statement by a high Saudi official that:

If Saudi Arabia is allowed to buy the U.S.-built AWACS radar planes, it will reserve the right to use them as it sees fit to defend against any enemy, especially Israel.

The Saudi official, believed to be Prince Bandar Ibn Sultan, who has actively lobbied for the sale in this very city, warned:

Let me be very clear. If we had AWACS on June 7 and we saw the Israelis on their way to attack Iraq, sure we would tell Iraq.

The newspaper story continued:

He (the Saudi) also contradicted the administration's argument that the planes would be primarily used to defend the Saudi oil fields.

Defenders of the Saudis argue that Saudi Arabia cannot cooperate with the United States, much less consent to U.S. bases or joint control of the AWACS, without making itself vulnerable to attacks from its radical Arab neighbors. If that is the case, we have a clear admis-

sion that Saudi Arabia is an unstable regime.

Next, proponents of the sale argue that if we do not sell the Saudis the AWACS, the British will sell them the Nimrod. It would be highly irresponsible to base our foreign policy upon the premise that, "if we don't sell, someone else will."

If the British sell the Saudis Nimrod aircraft, we will have avoided the trap of having both Israel and Saudi Arabia armed with American weapons and on a potential collision course. Of course, the administration has argued that we will retain de facto control of AWACS because we must provide the maintenance support for those aircraft, and the spare parts they need to remain in operation.

Mr. President, that argument is yet another strawman, effective only on those who do not remember recent history. The Six-Day War in 1967 was decided in the first 6 hours of battle, as a result of the destruction of the Arab air forces. The Yom Kippur War in 1973 was decided in 3 days, with air power playing a major role. For use in combat, all systems on an aircraft do not have to be working perfectly. The Saudis may not be able to maintain their AWACS and F-15's as we would be able to, but they will have a few days supply of spare parts on hand, and enough training to know how to get by. That, in the delicately balanced world of Middle Eastern military power, is all that it takes to make them a real, credible threat. And that makes them a target for a preemptive strike.

We have been told by sale proponents that Saudi Arabia is moderate when it comes to oil prices and is therefore deserving of our help. This so-called moderate nation not only refused to sell the United States oil for the congressionally-mandated strategic petroleum reserve, but threatened sanctions against us if we filled it. This so-called moderate nation is the regime that launched an embargo and then pushed the price of oil from \$12 to \$31 per barrel since the 1978 arms sale.

Then there is the assertion by Sheik Yamani that Saudi Arabia engineered the oil glut for the benefit of the United States and his claim of "financial sacrifices" made to "keep the United States happy." That is more propaganda. The oil glut is the result of several factors, including a depressed world economy caused by high oil prices. When speaking candidly in an interview for the Arab press, as reported by C. L. Cranford in the Christian Science Monitor, Yamani conceded that Saudi pricing policy is made:

In the light of purely economic interest, and that there are no political considerations present.

Yamani continued:

If we were to force the western countries to invest large sums of money in alternative energy sources it would take seven to ten years to bring about some results of these investments, which would reduce oil demand to a level that would affect Saudi Arabia, which at that time would not find enough markets to sell its oil to meet its economic demands.

He explained the Saudi position as one that seeks to maintain oil prices high enough to equal what he calls the "true value of oil," yet not so high as to cause a stampede of energy research and investment that might put the Saudis out of the oil business too soon. So much for the suggestion that we need to sell AWACS to the Saudis as a mark of gratitude or to prevent them from using oil as an economic weapon.

An editorial in the New York Post of October 22, clearly states the critical problems in our relationship with Saudi Arabia.

What, pray, are we to assume the Saudis have been doing since the Camp David accords were agreed on three years ago?

They led the Baghdad conference boycott of Egypt.

They give the PLO terrorists \$400 million a year.

They denounced the U.S. bid to rescue our hostages in Iran as "American military aggression" and described the shooting down of Libyan planes which intercepted U.S. fighters two months ago as an "exercise of medieval piracy."

Finally, the Saudis not only refuse to grant the U.S. bases in their own territory, but they oppose U.S. air, naval or army installations anywhere on the Arabian peninsula. Indeed, they are bringing pressure on neighboring Oman, which has offered the U.S. base facilities, to renege on its offer.

What further policies could they adopt which would be more disruptive of stability?

There is, finally, another commitment at stake here, the commitment of the executive branch to the legislature. In 1978, the Carter administration proposed to sell to Saudi Arabia some of the very weapons that are now under consideration by this body. Congress was worried then, as we are worried now. To allay fears that we were putting offensive weapons in the hands of the Saudi regime, Secretary of Defense Brown then wrote, in a 17-page letter to the chairman of the Committee on Foreign Relations, that:

Saudi Arabia has not requested nor do we intend to sell any other systems of armaments that would increase the range or enhance the ground attack capability of the F-15.

Three years later, this solemn pledge—on the basis of which many Senators voted for the sale of F-15's to the Saudis—is forgotten, but this body, to whom the promise was made, has not forgotten.

In conclusion, therefore, Mr. President, I believe this sale is wrong. It is wrong for the cause of peace. It is wrong for Israel and for Saudi Arabia. And, most importantly, it is wrong for the United States. If the AWACS sale is permitted to pass, it would reward the Saudis for their intransigent role as an obstacle to peace in the Middle East. It would transfer huge quantities of sophisticated and lethal weapons to a backward, unstable, and arrogant regime, and create the prospect of an unparalleled foreign policy disaster for our interests in the region.

I urge my colleagues to join me in opposing this dangerous proposal by voting for the resolution of disapproval.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. PELL. Mr. President, I yield 5 minutes to the distinguished Senator from Michigan (Mr. RIEGLE).

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. RIEGLE. Mr. President, I rise to strongly oppose this arms package.

Today's limitation on debate and the White House win-at-all-costs pressure tactics are a disservice to the Senate—and to our Nation.

This arms package is a tragic mistake. Its passage will move the Middle East and the world closer to war. It is a massive escalation of the world's arms race that leads away from negotiations and peace talks—and toward armed conflict.

This sale, if approved, will fundamentally alter the balance of power in the Middle East and can only be followed by a cascade of new weapons acquisitions by all the nations of the Middle East.

We are building a powder keg in this region with the same recklessness that plunged us deeper and deeper into the Vietnam war years ago and which more recently promoted our blind-faith arms sales policy in Iran during the Shah's regime.

It is not surprising to me that the same people that helped flood Iran with weapons during the Shah's reign—are now pushing the same strategy in Saudi Arabia.

Yet, all the American military equipment sent to Iran has been compromised and is almost certainly in Russian hands today.

Mr. President, the AWACS and the Sidewinder missile are two of the most important weapons we have. The AWACS system alone is so tightly guarded that our Nation has only ever shared one AWACS plane—that with our NATO military allies under joint United States/allied command.

This arms package puts these vital weapons at risk—makes Saudi Arabia a more tempting target for extremists—and will create dangerous new pressures aimed at radicalizing or removing the present Saudi monarchy.

There is a very high prospect that we will some day have to defend ourselves and our friends and allies against these very weapons of war that this proposal provides.

Mr. President, on the enhancement package, my instincts tell me that the removal of the F-15 bomb racks from the package is an act of deception. I have no doubt that, in due course, the bomb racks will be provided to Saudi Arabia. After all, we earlier pledged no enhancement equipment for the F-15; and that pledge lies broken on the Senate floor today.

There is no coherent U.S. foreign policy at this time—no coherent administrative structure to form one, and mounting evidence of disarray among our allies.

There is no overall U.S. Middle East strategy that one can identify and, thus, no framework in which to fight this massive arms proposal.

Mr. President, this is an ad hoc trans-action of the most serious strategic consequence that will bring profound new risks to America and the world.

I believe a major force behind this sale is that of naked commercial greed. Arms merchants and others who seek the financial favors of the Saudi Government are all over Washington with dollar signs in their eyes, pushing multibillion dollar sales of every sort. I do not believe these commercial interests are basing their initiatives on the strategic interests of the United States. They are based instead on a scramble for private gain and a willingness to curry favor with the Saudi Government in the hopes of making rich financial deals.

And yet, Mr. President, Saudi Arabia is the leading force behind the OPEC oil monopoly that is price-gouging every American citizen—and which has increased the monopoly price of oil tenfold. Much of our current inflation and economic misery in the United States has been caused directly by Saudi Arabian oil price decisions.

The argument that the Saudis have been a modifying influence on world oil prices is self-serving hogwash. The Saudis have helped erect an oil pricing structure which is bleeding every last penny out of consumers in America and around the world. The only thing that has limited further price increases has been the real threat of international financial collapse, an oil supply glut because of high prices, and the increasing threat of a serious worldwide recession or depression.

The Saudis have been masterful in portraying their role in the OPEC oil cartel as one designed to help the United States and the West. We are going broke paying monopoly prices for OPEC oil—while the Saudis have been walking us to the poor house. They have weakened the financial strength of our Nation—and they have hurt our people.

They are financing the PLO, and they have vigorously opposed the Camp David peace process—both actions which, in my view, actually hastened the death of Anwar Sadat.

Now we are told that we must appease the Saudis by giving them our most sophisticated military equipment and in so doing create new jeopardy to ourselves and to our friends.

Not with this Senator's vote.

The PRESIDING OFFICER. The time of the Senator has expired.

Who yields time?

Mr. PERCY. Mr. President, I yield 10 minutes to the distinguished Senator from South Dakota (Mr. PRESSLER), a member of the Foreign Relations Committee.

Mr. PRESSLER. Mr. President, I had originally been scheduled to speak at 3:30, but I understand there is a possibility of a closed session to consider classified material, so I shall speak at this point.

I predict that President Reagan will surprise a lot of people in the next couple of years in two areas. One, I foresee the possibility of the convening of a new series of Camp David-type peace talks which could involve Saudi Arabia, Egypt, Israel, and possibly Jordan and other countries. The President has not told me this, but I have talked with other members of the administration, and I think

this President will make a great effort to expand the peace process.

One of my great concerns has been that Saudi Arabia has supplied money to the PLO; and a lot of that money, I am afraid, has been used in what can be classified as terrorist activities. I sincerely hope that Saudi Arabia stops doing that. In fact, I think it should be a condition of the President, under the Arms Export Control Act, that during the 5-year period before the first plane is delivered, if there is substantial evidence that Saudi Arabia continues this aid, the sale would be shut off.

More important, I believe that it would be a great step forward if Saudi Arabia and Jordan could be brought into the peace talks. I think that our current activities, including the sale of AWACS, shows the confidence that our Government has in Saudi Arabia, and I hope that confidence will be rewarded by reciprocal action.

The second area in which I think President Reagan may surprise many people is in the general area of arms control. Although that is somewhat unrelated to the Middle East, it is related in the sense that if Richard Nixon could go to China and reestablish relations with that nation, Ronald Reagan can initiate major arms control agreements among the nations of the world. I expect much greater initiative in that area than we have seen thus far.

I mention this because I believe strongly that the convening of a new peace meeting regarding the Middle East, an extension of Camp David, is something within the realm of possibility. I have come from three meetings with the President feeling that he very much would like to do something along these lines. I repeat that he did not say to me that he would do it, but I urged that. I believe that as early as December or January, our Government could urge that such a meeting should be held.

The point is that in the consideration of this AWACS sale, we have a much broader responsibility than immediately meets the eye. To turn this sale down at this point would have a chilling effect on the possibility of expanding the peace process.

Concerning our domestic policies, last Thursday evening I spoke to the Anti-Defamation League at a meeting in San Francisco. I was asked by their board of directors to bring a message back to the President, which I have delivered, and which is in the October 27, 1981, CONGRESSIONAL RECORD. In the aftermath of this vote, however it comes out, we must bind up the wounds that may have been caused by this debate. I emphasized in my speech that persons of the Jewish faith should not be singled out or criticized for lobbying, because that is part of the great American tradition.

On the other hand, people who support the sale, as I do, should not be considered in any way as opposing Israel, because that is not the case at all. We have had a great deal of lobbying for the sale on the part of big business, but that is all right, too; because both sides in this debate have this constitutional right, and it is part of our American political tradition to permit free expression of all

views. We should not unfairly categorize people or groups or imply that some are less loyal or more loyal to the United States or a foreign state, or anything of that sort, because of this debate.

I hope that in the aftermath of the debate we all are very considerate of the winning and losing sides; that we not enter into questionable generalizations regarding the motives of people. I believe that everyone who has participated in this debate has done so with the best interests of the United States in mind, although many of us have had different interpretations of how those interests can be served best.

I conclude, in the brief time allotted, by saying that I first went to the Middle East on a 4-H agricultural exchange program trip in 1961, when I was a teenager, and spent 4 months in Egypt. Since that time, I have followed closely events in the Middle East and have read very widely on that region.

In 1965, when I was a student at Oxford, I took a summer tour of the Middle East, as part of a youth hostel program. Once again, I visited the various countries we are talking about today.

Again, this past summer I visited some of those countries, both an Arab nation and Israel, as a member of the Foreign Relations Committee.

Through all that, the hostilities that have continued to exist on both sides, the difficulties that exist there, have persuaded me that the Middle East is perhaps one of the key areas of the world in terms of our interests.

Oil, energy for agriculture, is important in my State of South Dakota. We find that we are very dependent on the Middle East, and our presence there is going to be required for many years to come. We will probably have many more debates, such as this AWACS debate, in regard to aid to Israel and cooperation with various Arab states. So this is by no means a final resolution.

In fact, some have said that the AWACS sale, in and of itself, is not that important, when you compare it to other questions. We often make more significant decisions with much less controversy. But this is part of our continuing struggle to balance our interests in the Middle East, to formulate more effective foreign policy on that region.

As I announced earlier, I shall support the President in this matter. I believe the matter was poorly handled by the administration in March and April and again in August, when many people tried to head this off. Nevertheless, we are now in this painful box, and nobody can escape from voting on it, although many would like to.

I reiterate that whatever conclusion my colleagues reach on this matter and whatever the outcome, I refer to the message we received from the Anti-Defamation League. They received me very well, even though I supported the sale and said so in my speech. I think that is an important thing for us to remember—that tomorrow we must get along together with the business of pursuing our foreign policy goals and our interests in the Middle East.

Mr. President, I conclude by thanking my distinguished Foreign Relations

Committee chairman, Senator PERCY, for his references today concerning my contributions to President Reagan's letter to the Senate on AWACS assurances or certifications.

I yield to the Senator from Rhode Island, in the absence of Senator PERCY.

Mr. PELL. Mr. President, I yield to the Senator from Illinois.

Mr. DIXON. Mr. President, I thank the Senator from Rhode Island.

After months of debate on the proposed arms sale to Saudi Arabia, we are finally called on to address the package.

Mr. President, as I have said many times before, I believe this transfer of technology contravenes our national interests, and I will cast my vote in favor of the resolution of disapproval.

At issue is \$8.5 billion worth of America's most advanced military weaponry, \$8.5 billion—the single largest arms sale ever contemplated by this Nation. As such, it has—very reasonably—been exposed to the most careful scrutiny of both Houses of Congress.

As a result of this inspection, the House of Representatives rejected the package by a 3 to 1 majority, and approximately half of the Members of this body have recorded their opposition.

Mr. President, I submit that a primary reason for that result is the effect of this sale on U.S. interests and Mideast policy. More precisely, the administration's call to rally around the concept of a "strategic consensus" threatens to undermine the tenuous stability of the region, in light of the widely held belief that the central component of U.S. policy must be the resolution of the historically bitter Arab-Israeli conflict.

Few have thought as deeply about this sale as has our distinguished Democratic leader, Senator ROBERT BYRD. His statement before this body on October 21 shows, I think, the misdirection of the administration's proposal:

The Administration has expended most of its time and capital to date in attempting to build an anti-Soviet strategic consensus among our friends—including the Israelis, Egyptians, Saudis, the Gulf States, and Jordan. Yet, such a consensus would only be viable if the Arab-Israeli issues are resolved. In resolving them, a strategic consensus would become viable. If there is no progress in resolving them, it would seem impossible to develop such a regional consensus.

I concur in the conclusions drawn by Senator BYRD. We cannot leapfrog over regional disputes without seriously damaging our national interests in the Middle East.

In essence, a sale of this magnitude, prior to movement on the Arab-Israeli front, invites a hardening of the belligerent attitudes that prevail throughout the region. These attitudes, in turn, increase the possibility of new and costly outbreaks of war.

The United States does not benefit from armed conflict. Nor does Saudi Arabia or Israel. The only parties to benefit are the Soviet Union and her proxies in the area. Clearly, that is not the direction toward which this country should aim.

What this country needs, Mr. President, is a Middle East policy, steeped in a solid sense of direction. It does not need an ad/hoc attempt to base future progress on risky arms sales to a turbulent and strategically vital area.

Peace and stability—that is the goal on which all agree. The issue is how to get there. The answer is not to be found in major arms sales to Saudi Arabia, or any other nation which does not share a similar outlook on the problems of the region.

The question becomes, Does Saudi Arabia share, or at least acknowledge, American interests in that region? Upon balance, the response is a resolute "no."

To be sure, Saudi Arabia has acquiesced in the need for a strategic consensus against the Soviet threat in the region. We are thankful for their help in achieving the Lebanese cease-fire.

On the other hand, Saudi Arabia has repeatedly undermined American objectives in the Mideast. The Saudis have opposed the Camp David peace accords. They have bankrolled the PLO and urged holy war against the only democracy in the region, Israel.

Additionally, Saudi Arabia ended relations with Egypt, led a boycott of that nation, and barely acknowledged the death of Egypt's visionary leader, Anwar Sadat.

The Saudis have raised the price of oil by more than \$20 a barrel since 1978.

Saudi Arabia recently joined an Arab condemnation of the United States after American pilots returned the fire and downed two Libyan fighters over international waters. At the United Nations, Saudi Arabia participated in a communique sponsored by Cuba and members of the so-called nonaligned bloc which basically condemned the United States as the major threat to peace in the world today.

This is not the track record of a faithful ally. It is not a record which inclines me to approve this sale to Saudi Arabia.

Many of my colleagues firmly believe that AWACS and F-15 enhancements do not pose a threat to Israeli security. I respect that opinion, but do not share it.

Over the past several years, we have witnessed an astounding growth in arms purchases by Saudi Arabia and other Arab countries. According to an Associated Press dispatch of October 22 which appeared in the Washington Post, Saudi Arabia, Jordan, Syria, Iraq, and Iran have purchased approximately 33 percent of all major weapons bought by developing nations between the years 1977 and 1980. Saudi Arabia, alone, has purchased more than \$30 billion over the past several years, granting her the title of being the major U.S. arms purchaser of the recent past.

Israel, on the other hand, is stretched to the limits, in every respect. With rampant inflation, and a budget which devotes 40 percent to military expenditures, that nation can no longer afford to maintain the rate of growth achieved by Arab countries.

Thus, with every major arms purchase

by Saudi Arabia, Israel loses her qualitative edge against those forces in the region whose avowed goal is Israel's destruction.

A joint Arab strike would spell the destruction of Israel's economic base, which is located within an area smaller than metropolitan Chicago. Perhaps Israel need not fear, yet, being driven into the sea overnight. But the conflict no longer turns on that basis: An Arab war of attrition can have the same effect over an extended period of time.

Israel lives in constant fear, and all that can be said about this sale is that it would fuel the Israeli perception of her perilous situation.

Another major reason to oppose this sale is that it risks the compromise of some of our most advanced military technology at enemy hands. AWACS are on the cutting edge of American technological sophistication. Likewise, the Soviet Union would love to possess the technology behind our AIM-9L missiles. Those F-15 enhancements are some of the most advanced in our arsenal, with their "shoot in the face" capabilities.

Our edge over the Soviet Union, if indeed there is still an edge, is in our advanced technological designs. To risk this sophistication is a serious error, one that can be stopped.

Notwithstanding Saudi Arabia's current prowestern stance, that country is subject to internal radicalization. It does not possess the democratic safeguards to assure a stable transition from one government to the next.

Did not this administration learn the lessons of the Iranian revolution? If President Anwar Sadat could be assassinated, what is to prevent a similar situation from occurring in Saudi Arabia?

Admittedly, these are disturbing hypothetical situations to discuss—and yet, there they are, in black and white.

Mr. President, I would like to address two other issues that are of importance in this proposed sale. The first is that it would appear from the record that this sale was negotiated in a manner which should not be repeated. The Congress was bypassed entirely by the administration, and all parties involved have paid a steep price.

So, I say to the administration, we in the Congress want to work with the President in the critical issues of international importance. We are not simply here to provide our assent to every policy choice made by the administration, especially if those choice are ill conceived. We are here to provide our advice, as well.

Issues such as this one are not subject to partisan politics. This proposal is one of strong bipartisan interest, and we in the Congress stand ready to work and cooperate with this administration as it ponders the course of American foreign policy.

One final note, if I may—one of the most distressing elements to come out of this AWACS debate relates to the question of interest group lobbying. More precisely, members of the American Jewish community have come under at-

tack for their concern about this sale. Generally, the Jewish communities have been charged with interference in this sale, and charged with undermining American interests in the Mideast. Some of these allegations have bordered on the anti-Semitic.

I believe that these comments are not only unfair, but also serve to jeopardize the values upon which this Nation was founded. When this country sought independence from England, it expressly provided for the rights of all citizens to petition the Government for redress of grievances. Further, we guaranteed the right to free speech.

Some of the criticism tends to imply that Jewish constituents somehow abuse these rights if they exercise them in connection with issues that affect the state of Israel.

I find no such qualifiers in the Constitution, and this criticism has been one of the most troubling in this entire issue.

Mr. PELL. Mr. President, because of the pressure of speakers on this side, I am going to have to as a general rule limit speakers to 3 minutes if they are not on the committee and 6 minutes if they are on the committee. I already assured Senator HEFLIN that he could have 5 minutes, so I yield 5 minutes at this time to Senator HEFLIN.

The PRESIDING OFFICER (Mr. DURENBERGER). The Senator from Alabama is recognized.

Mr. HEFLIN. Mr. President, I appreciate the consideration of the distinguished Senator from Rhode Island, the floor manager of the bill on this side of the aisle.

Mr. President, I rise today in opposition to the proposed sale of the AWACS package deal. I do so, not because I was one of 54 Senators who signed a letter to President Reagan dated June 25, 1981. Nor do I do so because I am one of 50 original cosponsors of Senate Concurrent Resolution 37, the Senate resolution of disapproval of this proposed sale. Rather, Mr. President, I oppose the sale because after a protracted, careful analysis of the pros and cons of it, I remain unconvinced that it is timely and/or well advised. In analyzing this issue, I think every U.S. Senator ought to approach it solely from the standpoint of what is in the best interest of the United States. Although America should continue good relations with Saudi Arabia, I nevertheless, have serious concerns about the wisdom of the proposed sale.

Mr. President, I have been thoroughly briefed on both sides of this issue by some who presently serve in the top echelon of the executive branch of the Federal Government and by some who have previously served therein. Representatives of this distinguished group include President Reagan, a member of the Joint Chiefs of Staff, as well as some top military officers from the National Security Council and some high-ranking members of the Defense and State Departments. I have had detailed discussions with many retired leaders of our Nation, including Adm. Tom Moorer, an old and valued friend. I have also discussed this issue in depth with other Senators, key

businessmen with strong commercial interests in Saudi Arabia, numerous constituents and nonconstituents. Yet, Mr. President, despite my keeping an open mind and sticking to the real issues involved in this proposed sale, I have concluded that it is not in the best interest of the United States to sell the AWACS aerial package deal to Saudi Arabia. I would like to elaborate on the reasons for this conclusion.

The proposed air defense enhancement package for Saudi Arabia would not be a response to any new Saudi defense need; rather, it would enhance its offensive capability. In October 1980 the United States, at the request of Saudi Arabia deployed four American manufactured AWACS to protect Saudi Arabia's oil fields and its refining, storage, and shipping facilities against possible threats presented by the Iraq-Iran war. These four U.S. AWACS aircraft are still there today. The Saudis now want to purchase and own outright five American-manufactured AWACS radar planes as part of the \$8.5 billion arms package.

What threat faces Saudi Arabia which would require it to own outright some of the U.S. top-of-the-line, sensitive, military technology? The Soviet troops in Afghanistan are more than 1,000 miles away. Hardly anyone will tell you that it is needed for protection against the Soviet Union, since a review of the geography would indicate that the Russians would have to fly across Turkey, Syria, and Iraq on one route or across Iran on another route to reach Saudi Arabia.

If Russia were to attack Saudi Arabia, the AWACS would be of little help against overwhelming odds. Only the United States could meet an outright Soviet attack against Saudi Arabia. Such an attack would face a direct threat to America's vital, strategic interests in the Gulf area, and would be vigorously challenged.

There is no real threat to Saudi Arabia from South Yemen or Ethiopia. These two Soviet proxies do not have nearly the quantity or quality of arms that the Saudis have. It is very unlikely that Iraq would try to invade Saudi Arabia, especially since Saudi Arabia has allied itself with Iraq during the Iraq-Iran war. The Iranian threat has been curtailed sharply by this same war and by the placement of American AWACS in Saudi Arabia. Nor can it be a true Iranian threat. Moreover, such an Iranian threat seems almost ludicrous, especially when one considers the ineffectiveness of the Iranian Air Force during the Iraq-Iran war.

In short, Saudi Arabia has all the electronic detection and radar systems protection that it needs to defend itself adequately against any existing perceived threat to its oil fields except for a direct Soviet attack. In such case, as I stated earlier, and I do not hesitate to emphasize this point again, the United States would respond directly thereto.

Thus, the proposed Saudi arms package would not meet any new Saudi defense need. Instead of providing necessary improvements in the Saudi defense

capabilities, it would enhance significantly the Saudi offensive capability. The most controversial component of this \$8.5 billion package deal is the proposed sale of five E-3A airborne warning and control system (AWACS) aircraft. The AWACS is a modified Boeing 707-320B aircraft with added radar surveillance, computer, and communication equipment. It has "look-down" radar and is designed to detect, identify, and track hostile warplanes and coordinate the combat operations of friendly air forces.

The F-15 enhancement equipment includes:

First, 1,177 AIM-9L Sidewinder infrared-heat seeking-air-to-air missiles, which are widely regarded as the most advanced missiles of their kind presently in use anywhere in the world. They would allow the Saudi F-15's to attack enemy aircraft head-on and eliminate the need to maneuver from behind.

Second, 101 sets of FAST packs or conformal fuel tanks, which can be attached on each side of the F-15's to boost their fuel capacity from a combat radius of approximately 450 miles to a combat radius of more than 1,000 miles.

Third, 6 to 8 KC-707 aerial tanker aircraft, which would allow Saudi Arabia to refuel both its F-15's and F-5's in flight.

Do the Saudis really need this most advanced weapons system to defend themselves against the underarmed Ethiopians or South Yemenese? Do they really need this aerial package deal to defend themselves against a direct Soviet attack? If the Soviets were to conduct a surprise attack, the Saudi Arabian Air Force would be wiped out in a matter of hours. If it is a prolonged attack or one with notice, the F-15 can be armed very rapidly by America, who is committed to that country's defense.

In the absence of any real need for the American-manufactured AWACS aerial package, it seems to me that we must weigh the risks involved in providing the Saudis with such a potent, advanced, and complicated weapons system. We only need to recall what happened in Iran. We made it the strongest military power in the Mideast over a 20-year period, more or less. Within a matter of hours after internal instability and turmoil caused the Shah to fall, Russian agents were able to gain vital information about practically all of the sophisticated technology and weapons that America had supplied Iran. The unstable political situation in Iran and throughout the Mideast led to the compromising of our F-14 aircraft, Phoenix air-to-air missile and our Hawk surface-to-air missile. Reliable reports indicate that the Soviet intelligence forces have as one of their top priorities the acquisition of detailed information on the AWACS and the equipment in the plane.

It is no secret that Saudi Arabia is unstable. More importantly, the Middle East itself is a power keg. I am terribly concerned about the impact that such an AWACS aerial package sale would have on the military stability of the whole region. We do not need to exacerbate tension in the Middle East. Nor do we

need to compromise—through espionage, theft, plane crash, combat, or a coup—sensitive American technology. The compromising of such technology in Saudi Arabia to our adversaries would probably be twice as damaging as that in Iran. The risk is not so much duplication of technology, but impairment and deception of our military electronic systems.

The letter that 12 American F-15 fighter pilots wrote to Congress protesting the sale of the Sidewinder AIM-9L made quite an impression upon me. It was introduced into the RECORD and was made an integral part of a number of speeches on this issue. These pilots urged Congress not to sell the Sidewinder AIM-9L because the Russians do not have it, and there is the real danger that it will fall into the hands of the Russians if it is sold to Saudi Arabia. They asked the question, "Why give our technological edge away?"

Recently I talked to an Air Force fighter pilot who had not signed the letter, but was familiar with it and with many of the fighter pilots who had signed it. He expressed admiration for their courage. He also reinforced their arguments that the Sidewinder AIM-9L is highly secret technology, and that we cannot afford to gamble on letting it get into the hands of the Russians. He further mentioned that about 15 years ago there was an earlier version of the Sidewinder which he identified as the AIM-9. He said that because of inadequate and insufficient security, Russian agents were able to get their hands on such a missile in West Germany. Then these agents disassembled it into parts and through Volkswagen and station wagons, carried the missile into East Germany, then on to Russia.

As a result, the Russians developed the ATOL missile, which was comparable then to the AIM-9. He pointed out that through a plane crash, theft or international disruption or a revolution within Saudi Arabia, America was gambling and taking a big risk of allowing the Russians to acquire a Sidewinder AIM-9L—the missile that America is proposing to sell to Saudi Arabia. He went on to explain that many modifications of planes had been made to prevent heat-seeking missiles from being effective, but that the technology of the Sidewinder AIM-9L was extremely sophisticated and secret. The Russians have no real defense against it now. He pointed out that the AIM-9L had been effectively used to destroy the two Libyan planes that attacked the U.S. Navy maneuver training exercise recently in the Mediterranean.

A few months ago there were few who would question the stability of the Egyptian Government, but today we realize there are serious questions concerning Egypt's ability to handle internal and external disruptiveness. In my judgment, certainly the sale of AWACS should be held up until we know about Egypt's attitude toward peace and America.

Moreover, Mr. President, I think that it is time to bring an end to the policy of sharing highly sophisticated American technology and secrets with other nations. Almost every medium-sized na-

tion in the world and some small nations now have the capacity to produce atomic bombs. Our experience in India should have taught us a lesson. The Saudi regime and Libya are financing Pakistan's three nuclear projects designed to produce an Islamic nuclear bomb. Now we hear that France will use American technology to develop the neutron bomb. Many leading predictors of the future feel that World War III will start in some small Third World nation as the result of an atomic bomb. Fair-weather friends of the United States today can become enemies overnight.

During the protracted controversy surrounding the proposed sale of the AWACS package to Saudi Arabia, many of us have forgotten or failed to emphasize that since the AWACS aircraft was first delivered to the U.S. Air Force in 1977, only 52 have been built or are on order; 34 for the U.S. Air Force and 18 for NATO. We have joint command and control of the AWACS in NATO. If the United States has joint command relationships with NATO during the use of an inferior model of AWACS (block 25), should not we demand greater control over our most advanced model of AWACS (block 30/35) which has never been sold outright to any other country in the world?

Mr. President, Saudi Arabia already has AWACS protection. Presently, these planes are completely under American control. They can continue to stay there under this arrangement and provide better protection than Saudi-owned AWACS could provide, since the Saudis cannot operate them without tremendous assistance from the United States. Under such an arrangement, the AWACS could not be used offensively against other countries without American knowledge and consent, and would greatly reduce the danger of such planes falling into the hands of the Russians. This is the arrangement the United States is following in Egypt and NATO. If the sale goes through to Saudi Arabia, it will be the only country where the U.S. AWACS are not under American command and control.

Finally, Mr. President, as a Member of the U.S. Senate, I would not want to be accused falsely of impeding the progress of the administration's "strategic consensus" in the Middle East by voting against this proposed sale of the AWACS package to Saudi Arabia. If the administration's goals of achieving such a consensus is jeopardized by the nondelivery of the American-manufactured AWACS aerial package to the Saudis, the administration will only have itself to blame. This proposed sale is untimely and ill-advised. It should not be the litmus test of America's friendship with Saudi Arabia. Military hardware should never take precedence over a legitimate, sound foreign policy, especially when our strategic interests are at stake.

The sale could escalate the arms race in the Middle East. If Israel is threatened by the AWACS sale, the administration could feel obligated, as some have reported, to offset the threat by providing Israel with F-16's or access to a spy satellite. Saudi Arabia, on the other

hand, could be encouraged to request more weapons, including the multiple ejection bomber racks for F-15's. No one disagrees with the need to protect Persian Gulf oil supplies or counter the increasing Soviet presence in the gulf.

It is unreasonable, however, to assert that by pumping more and more arms into an unstable Arab state, we will defend more effectively against further upheavals. The sale could eventually embroil the superpowers in a war. Saudi Arabia has shown no inclination to moderate its anti-Israel and antipeace policies, so there is no compelling rationale for rewarding it with sophisticated weaponry. The Senate should not rubber-stamp an arms package with such dangerous implications.

In a speech by one of the most erudite and astute Members of the Senate who has a recognized expertise in the field of military affairs, Senator SAM NUNN, of Georgia, pointed out the importance of the AWACS sale to the future of a rapid deployment force. He quoted extensively from the testimony of Gen. P. X. Kelly, Assistant Commandant of the Marine Corps, who testified before the Senate Armed Services Committee on September 28, 1981. General Kelly was the first rapid deployment force commandant who spent considerable time organizing the force and establishing the contingency plans for the use of the rapid deployment force in the Persian Gulf area. Here are General Kelly's words:

There is no question in my mind that . . . if the U.S. is to display meaningful combat power to that part of the world, be it high threat or low threat, it is absolutely essential that we have free and willing—and I emphasize those two words, free and willing—access to Saudi land bases, Saudi ports, Saudi host nation support, and a considerable labor pool from the Saudis.

Without a staging base in the Persian Gulf region a rapid deployment force will be completely ineffective. There are those that feel that the success or failure of the U.S. military action in the Persian Gulf is dependent on the rapidity of the deployment of a creditable force after we are alerted to a danger. One of the first elements in a successful deployment of a rapid deployment force is to gain air superiority. It is essential that we have a land base to achieve this goal.

In my discussion with the President on yesterday, I asked him what was the quid pro quo for the sale. Basically the answer was friendship. I then asked him if we had any assurances from Saudi Arabia that America could use Saudi airfields, bases, and ports for our rapid deployment force. He replied that he did not think that that had been discussed with the Saudi Arabian Government. He indicated that we would have to rely on Egypt and, somewhat, on Oman.

It appears to me that a commitment from the Saudi Arabian Government for the use of land bases and ports by the rapid deployment force should be at the top of our priority agenda. The present use of the four AWACS in Saudi Arabia today could continue under American command and control, provided a quid pro quo is obtained from the Saudi Government concerning the use of airfields,

ports, and bases for our rapid deployment force and other military uses. If the Saudis were to refuse to allow such use, then we would have as a bargaining tool the possibility of the withdrawal of American owned and controlled AWACS. On the contrary, if the Saudis were to own the U.S. AWACS, then they could not be used as a bargaining tool.

In closing, Mr. President, I reiterate that this proposed sale of offensive equipment to Saudi Arabia for its F-15's is contrary to the original articulated purpose of the sale—to enhance the Saudi defensive capabilities. The proposed sale is, therefore, not in the best interest of Saudi Arabia or the United States.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. HEFLIN. I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. HELMS. Mr. President, in the normal course of events, the distinguished Senator from Alabama (Mr. DENTON) was due to be recognized for 10 minutes, but I wonder if he would be willing to accommodate the Senator from Maine (Mr. COHEN).

I believe Mr. COHEN is not ready. So the Senator may proceed.

Mr. DENTON. I thank the Senator.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. DENTON. Mr. President, the issue of the proposed air defense enhancement package for Saudi Arabia has stirred up controversy to the point where an essential sense of proportion has been forfeited. Reason and objectivity often have given way to subjective rhetoric and tenacity to irrelevant truisms.

Let us accept, once and for all, that our national policy has been, is, and will continue to be, committed to the survival of the State of Israel. That single commitment, however, does not by itself sufficiently serve all our own vital interests in that area of the world.

The central question is not whether broadening participation in Middle East security serves the strategic interests of the United States, but, rather, how best to achieve the conditions necessary to such participation.

The President has determined that the air defense package properly responds to the legitimate security requirements of the United States, as well as to the vital interests of Saudi Arabia. This sale represents not an isolated, individual act of pragmatism, but is part, rather, of a pattern of moves to strengthen our interests and those of free nations in an area where the growing threat has already introduced an urgency of need for initiative. Properly viewed, the AWACS package is but an increment in a carload of policies under belated formulation which will contribute to the growth of regional awareness of, and consensual commitment to, the objective of developing joint regional capability to arrest increasingly dangerous Soviet or Soviet-inspired adventurism.

The facts bearing on the sale of AWACS and F-15 enhancement equipment to Saudi Arabia overwhelmingly confirm President Reagan's assessment of the geopolitical facts of life in that region of the world. This assessment is

shared by our present Secretary of State, the President's National Security Adviser, by our Joint Chiefs of Staff, as well as by all three living ex-Presidents, all six living ex-Secretaries of Defense, all five living ex-Presidential National Security Advisers, three former Secretaries of State, and all three living former Chairmen of the Joint Chief of Staff.

I respectfully suggest, Mr. President, that the collective knowledge and objectivity of this distinguished group are not easily ignored. The unanimity of these individuals who have been so intimately involved in the formulation of foreign policy at the highest level should be a strong argument for reconsideration on the part of those Senators who remain opposed to this proposal.

This Senator is not on the Foreign Relations Committee and is only a freshman—but I do not speak as a neophyte in this field. As a man who has personal experience related to AWACS, experience that I believe exceeds that of others in this body, and as one who earned the Department of Defense's highest non-combat award partly because of contributions to improving our international relations, I state with humility, but with emphasis, that I share fully in this overwhelmingly authoritative, informed assessment.

While I recognize the legitimate and valuable advice and consent role of the Senate in respect to treaties, I am not enthusiastic about the trend of increasing congressional assumption of prerogative, which in my view is beginning to infringe upon the constitutional duties and prerogatives of the President. More importantly, the result of this trend is that the management of our affairs of state has been foundering. In marked contrast to the unstinting and broad support given our President to initiate, without imposed inhibitions, moves of national life and death implications during the Cuban missile crisis, we have witnessed in the 19 years since that time, a new deal in which several disastrously interventionist actions on the part of Congress proved inimical to U.S. interests around the world.

The turn of events in Southeast Asia since 1975 shows that the congressional decision to override the President—indeed, to override the pledge given by a total of four Presidents—and terminate all aid to South Vietnam was not the legislative branch's finest hour. This action stands in stark contrast to the steadfastness of the Soviet Union in its support of North Vietnam. Congress by this step set into motion a chain of events that led inexorably to the lengthening of that already long list of nations where freedom has died and our interests have suffered through failure of nations of good will to act.

Mr. President, we must recover from the Vietnam syndrome—we must recover a sense of reality about the requirements for preservation of peace and protection of our valid interests. Tens of millions of human beings have sunk into slavery.

U.S. strategic interests, including economic ones, have been suffering increasing reverses. We must wake up soon, or we shall lose our own freedoms.

I submit that the proposed resolution to prohibit the AWACS sale to Saudi Arabia is potentially another example of ill-advised congressional action taken without regard to the long-term, adverse consequences.

It is my conviction that the proposed air defense package is a responsible initiative that addresses the critical need to improve Saudi early warning and air defense capabilities to deter attacks on the Persian Gulf oil facilities. Moreover, as the product of the largest oil producer in the Middle East, with reserves representing 29 percent of the world's known oil deposits, the free flow of Saudi oil is crucial not only to regional stability, but indeed affects the stability of the entire free world.

The AWACS sale offers an opportunity for the United States to influence, constructively, Saudi policy. The interoperability of Saudi AWACS with U.S. naval forces in the Persian Gulf and Arabian Sea, and the sharing of AWACS data provide a solid foundation for increased United States-Saudi defense cooperation. Such cooperation can only be construed as beneficial to the prospects for attracting to such coordination other states in that region.

The effects of the factual operational constraints inherent in the agreements serve better than any formal written agreements to prevent any shift in the Arab-Israeli military balance, and I say that as one personally familiar with those operational constraints.

However, in terms of the written agreements themselves, I find it increasingly frustrating to note that, in spite of the numerous security arrangements over and above those that are standard in this type of sale, concern about the risk of technology transfer persists. Even were the extraordinary precautions to fail, my personal experience in the research, development, and operation of airborne electronics permits me to state categorically that the potential damage from compromise of this particular technology is an acceptable risk. Certainly the risk pales in comparison to the certainty of the damage done if the United States abdicates its position to influence the chances for peace and stability in the region.

Although a satisfactory resolution to longstanding Arab-Israeli differences is not imminent, all parties will come to see that the threat each side poses to the other is not of the same order as the threat posed by Soviet policy in a near-sighted, unstable Mideast.

Mr. President, the credibility of the United States as a world power is being weighed in the balance. Let us seize this opportunity to pursue a consistent, reliable policy in the Middle East, a policy of setting the stage for cooperation among Mideast States, a policy that contains bilateral United States-Israel, and bilateral United States-Arab arrangements which increase protection of mutual vital interests.

Above all, let us give our President the footing he needs to pursue a coherent, effective foreign policy free of the waywardness occasioned by congressional policies, free of congressional intervention, where the facts do not justify such

intervention. Let us keep in mind that the action we take today is being observed not only by the States of the Middle East, but also by nations throughout the world, which are on the fence with respect to their evaluation of the advisability of joining hands with us in the cause of freedom with justice.

Let us take a step in restoring proper trust among the respective branches of this Government.

Let us regain a bipartisan approach to foreign policy.

Let us begin by rejecting this resolution of disapproval.

The VICE PRESIDENT. Who yields time?

Mr. BAKER. Mr. President, will the distinguished Senator from Illinois yield to me?

Mr. PERCY. I yield.

Mr. BAKER. Mr. President, I commend the distinguished Senator from Alabama for his statement.

I ask—and I apologize to the Senator for sending word that I wished to intervene at this point—but I ask the distinguished managers of the bill if they would be in position to allocate 20 minutes to the distinguished Senator from Maine.

Mr. PELL. It cannot come out of our side, I am afraid, because we are already very much squeezed.

Mr. BAKER. Yes; out of this side.

Mr. PERCY. I would be very happy to yield 20 minutes to the Senator from Maine.

Mr. COHEN. Mr. President, it has been generally agreed that the proposed sale and transfer of the AWACS system and the upgraded F-15's has been mishandled in the first instance and mishandled in the second. It has been raised to the level of a fundamental foreign policy issue for President Reagan—a potential turn in the tide of American diplomacy—and a major military threat to Israel.

It is neither, but we have managed to make it so.

Our Cloak Room and dining room discussions have been filed with soulful lamentations: If only our Air Force generals had not been so eager or greedy or dumb to offer to sell our technology to the Saudis; if only the Saudis would stop wrapping themselves up in the flag of sovereign pride and prestige and speak about peace; if only the Israelis would stop complaining and stay out of American foreign policy; if only the President would postpone, defer, withdraw the proposed sale. . . . Well, perhaps all this agony could have been avoided. At least it is pretty to think so.

But it is too late for the "only ifs." We have to say yes or no to a choice that none of us really looks forward to making.

Before casting my vote today, I want to address a few issues that have been raised since the sale was first conceived and presented to the Congress.

I have been, and I continue to be, a wholehearted supporter of Israel because Israel shares with us something far more important than the oil the Arab nations sell us. The Israelis share our ideals of democracy, of human freedom, of individual liberty. These are the ideals that

we have sent so many American men to fight and die for all over this globe. I support Israel because its people also serve as an inspiration to me because they are tough, disciplined, dedicated, and determined to survive against overwhelming military odds, against the intimidations of totalitarians, against the bombs and brutality of terrorists. They remain proud, unafraid, and free.

I feel compelled to say this today because I have heard people ask why are the Israelis being so stubborn, so outspoken, so intrusive about this sale? There are two reasons. They understand geography and they understand history.

They look to the north and see a dying and dismembered Lebanon which is now occupied by the PLO and protected by Soviet-made missiles. To the northeast there is Syria and to the east there is Jordan. To the south there is a Sadat-less Egypt now being heavily rearmed by the United States, and to the southeast Saudi Arabia, which to this day continues to declare a holy war against Israel and pledges to drive every Jew from Jerusalem. I pass over the significance and the schemes of Libya, Iraq, and Iran. The Israelis are outnumbered 100 to 3 in population and 10 to 1 militarily. Every day, every hour, every minute, every second, they live under the hair trigger of extinction. Lest we dismiss that as extraordinary paranoia, let us not forget the near hysteria that gripped this country by the throat 2 years ago when we discovered some 2,500 Soviet combat soldiers 75 miles off our coast in Cuba.

There is a familiar aphorism that those who are ignorant of history are doomed to repeat it. Well, Israel knows its history. It knows, for example, that in the Sinai War in 1956, President Eisenhower brought pressure in Israel to withdraw to borders that had been established in the 1949 armistice—that had proved to be indefensible. Israel acquiesced and this set the stage for the 1967 war—which for all of its success cost the Israelis more lives on a proportional basis than we lost in Vietnam. And no sooner was that war over when Israel was called upon to be generous and yield to Arab demands to return the conquered territory without any concession that Israel had a right to exist and be free from Arab calls for its destruction.

For a decade since the Six Day War in 1967, the U.S. policy has been that Israel must trade its territory for the promise of peace and that Israel must exchange the tangible for the intangible. Well, the safe and secure are always urging Israel to take more risks. And the governments of the world are constantly insisting that Israel be generous while they are miserly.

In 1973, Israel again was on the verge of being destroyed, and no sooner was victory declared than it was crowned by calls to return the land the Israelis had secured and seized for their protection and survival. Each time they have made concessions we have demanded, they have fallen victim to the future that they foresaw.

I am reminded of the statement made by Andre Gide that the foreknowledge of the finality of things destroys bliss at its

very apex. It is the foreknowledge on the part of the Israelis that every freedom must be cursed with fear, every gain rendered superficial and fleeting. Throughout recorded history, the Jewish people have been forced like Sisyphus to roll a rock up the hill of bias and bigotry, condemned never to reach the top where they could find peace and respite and security. Each time, they somehow lose their footing, or the rock grows too heavy, or someone is tugging at their arms, then the rock rolls back down to the bottom of the hill.

Even now, the Israelis are being accused of trying to influence, if not dictate, U.S. foreign policy. I have never seen a sign in Israel, as I have in Britain and Germany and France and even Canada, that demands that the United States get out of El Salvador. I have never heard the Israelis either call for the initiation or the rejection of arms control talks with the Soviet Union at the price of continuing their alliance. They do not try to influence any U.S. policy unless it directly affects their ability to survive, unless it brings them closer to war.

So let us not be outraged about Israel trying to dictate U.S. foreign policy. Let them come in an open society and tell us their version of the facts and their visions of the future.

The author George Will suggests that Israel, under our leadership, may be headed for the same fate as that of South Vietnam—abandonment in the face of force. I pray to God he is wrong. But if he is right, let me make a prediction to you that you will see no boatloads of Israelis filling the seas, begging to come to America. They are going to stay and fight and their battle will not be confined to Israel. As America's shared ideals go up in smoke, so will the West's interests in the Persian Gulf.

To put it quite simply, the Israelis are confused and rather frightened about our policies and about their future under those policies. They understand when their enemies arm their enemies. That is one thing. They understand less why their ally arms their enemies, or how we can talk in this body, in this country, about an evenhanded policy in the Middle East.

An "evenhanded" policy is the code word for their death warrant. They are surrounded on all sides by hostile forces that are being supplied massive amounts of weaponry. They can survive only if they have military superiority and only if their enemies know that the United States is fully committed to defending Israel if it is attacked, is fully committed to resisting calls for concessions that are tantamount to a policy of appeasement.

I happen to be a supporter of the Camp David accords. They constituted a remarkable breakthrough in Israeli and Egyptian relations. But even as I commend the accords, I feel it necessary to point out that Israel has given up far more than it has ever received. Israel has given back the oilfields which supplied a large percentage of its needs; in return, it was allowed to set up an Embassy in Cairo. Israel returned the first third of the Sinai and Egypt allowed direct travel between Israel and Egypt.

Israel returned the second third of the Sinai and Egypt allowed Israel access to the Suez Canal, which had been illegally blocked under international law in the first place.

And now they are being called upon to show more flexibility, a demonstration of good faith by accelerating the return of the final third of the Sinai to show the Egyptians that they are truly committed to the Camp David peace process—while Lord Carrington offers the European initiative and Prince Faud offers his.

What might have appeared to be mere graffiti on the walls is beginning to emerge into a pattern and into a prediction.

The Israelis will be called upon soon to resolve the Palestinian issue equitably, though the Palestinian Manifesto calls for the destruction of Israel as its goal. And if they refuse to make more concessions or return to pre-1967 borders, then the Egyptians, once the Sinai is returned next spring, will be in a position to say they can no longer follow the path of Camp David. Saudi Arabia will play the same duplicitous game it has played to date—quietly expressing moderation to the West while openly financing and pacifying the demands of the PLO.

Frankly, I must tell you, Members of the Senate, I do not share this administration's optimism that the Saudis can be made to serve as a source of stability or moderation in a part of the world that historically has been unstable. Nor do I believe they will be any more moderate in the future than they have been in the past. Their actions to me speak considerably louder than their words. And those actions range—you have heard them today—all the way from oil embargoes and extortionist pricing policies to threats to reduce production if we stockpile oil, from the breaking of diplomatic relations with Sadat to comparing Israel to a mouse tied to the tail of the United States camel—a tail that has to be cut off. They are in my judgment as moderate as Yasir Arafat.

Perhaps I am too cynical about or unfair to the Saudis. If their future actions prove me wrong, I will take this floor and gladly admit my error.

What I believe is needed is a foreign policy that has the courage and the commitment of a true superpower, something that is comparable to the Brezhnev Doctrine, which declares that the Soviet Union is free to undermine and subvert every democracy around the globe by force and once a Marxist regime is established the Soviet Union will use its full power to prevent the people of that country from ever dictating a change. Indeed, every day we speculate in this Chamber, when will the Soviets move their tanks into Poland, and our surprise comes not that they have invaded Poland but that they have hesitated to do so.

What America needs is a doctrine that is equally direct and unequivocal, that says that we will help defend democracy against every threat or intimidation by assassins, by terrorists, subversives, and those who financially support them. We will not bend or yield to blackmail whether it comes in the form of a bomb or an oil barrel.

This might strike some as being jingoistic or indeed simplistic. But I would submit that a policy of appeasement masquerading as diplomacy will gain us neither security nor respect. In the long run, we will inherit the contempt of our enemies and that of our allies—and we shall be deserving of it.

A foreign policy to endure must be based upon something firmer than the temporary intersection of economic interests. Interests are important but they should not be confused with or considered as a substitute for ideals.

Our ideals of individual freedom and liberty will flutter in the minds of men and women long after our interests have gone dry and taken form in some other substance and in some other place.

I believe that the United States will, through the bitter lessons of history, come to the conclusion that there is only one stable and reliable ally in the Middle East. It is not Iran, Egypt, or Saudi Arabia. It is Israel—and the threat to the West's security does not come from Israel's intransigence but from the fact that we have allowed ourselves to become almost helplessly addicted to Persian Gulf oil. We have found it necessary to feed our habit without regard to the moral consequences of our consumption.

A number of arguments have been advanced to encourage me to support this sale. One is that I should support my President right or wrong. I believe this proposition to be without merit. My job is not to canonize the President but to support him when he is right and to oppose him when I think he is wrong. For the past 9 years I have tried to hold true to that standard under Republican and Democratic administrations alike.

Another argument is that I must affirm the sale because other nations simply do not understand how our process works, how a President can be overruled by the Congress. The simple answer is that we have a duty to enlighten other nations about our constitutional process instead of bending our constitutional process to conform to their misunderstanding.

I want to see President Reagan succeed in his Presidency and to provide strong leadership to this country. He is a good and decent man and is a strong supporter of Israel. I sincerely believe that he holds the best chance I have seen in recent years to build a national consensus on what we have to do to preserve and promote prosperity and individual freedom. I want him to protect our interests wherever they are located, provided he does not endanger an ally in the process.

And that brings me closer to the bottom line. I have turned this issue over and over in my mind and conclude that Israel is in a classic no-win situation. If the sale is approved, it loses a measure of its military advantage. If the sale is rejected, it also loses because it will be blamed for the dissolution of the peace process, which I believe to be inevitable as long as the United States appears eager and willing to arm Israel's declared enemies.

Israel can survive only if it is militarily superior to its enemies and only if the people of the United States remain

clear in their understanding of Israel's struggle and unequivocal in their commitment to its existence. If there is the slightest doubt or hesitancy about the commitment we have to Israel, then, in a crisis, that doubt will lead to Israel's destruction.

When the crisis comes, when our European friends who are so quick to give us advice about foreign policy in the Persian Gulf and offer so little in helping to defend it, when our European friends deny us overflight and landing rights on their soil as they did in 1973, when everyone is pointing an accusatory finger looking for a scapegoat, I do not want to hear any voices in the United States say—if only they had not been so intransigent, if only they had agreed not to interfere, if only they had not brought this mess—this death—upon themselves.

I do not know if this sale is rejected whether the seed of doubt will be sown in the minds of the American people. But I believe there is the chance that it could be, and that chance, in my mind, outweighs any potential threat posed by AWACS or F-15's.

I have taken a lot of time to give you all the reasons why I do not particularly approve of the sale, and I will give you one reason why I am going to vote in favor of allowing the sale to take place.

I simply cannot, in my own conscience, bear the responsibility of allowing Israel to become the scapegoat for the terror that is gathering like storm clouds over its borders. I am prepared to support this sale only if Israel's security is not compromised.

The question that has been plaguing me for the past 6 months is whether or not Israel is more secure if the sale is approved or more secure with it rejected. And I have come to the conclusion that if we reject the sale, Israel's security is in danger and it will be blamed for this dissolution of the peace process and when that confrontation and conflict comes, there will be doubts and hesitancy in the minds of the American people that they brought it upon themselves. And I simply cannot bring myself to become a party to that.

Now I have met with President Reagan on three separate occasions, and I want to say for the public record, the White House has not lobbied me. They have made no contact for me to meet with the President other than the requests that I have made myself. My request was that I wanted to speak to the President because I wanted something in return. The thing that I wanted was his assurance, his guarantee, and his pledge, that he would never allow Israel's qualitative and quantitative military edge and superiority to be eroded.

I met with him late yesterday afternoon and I asked him again and he reaffirmed it to me again that under no circumstances would he allow the present military advantage that is enjoyed to be eroded and that was the commitment he made to me, to Prime Minister Begin, and I believe to the American people publicly. And I believe him to be an honorable man. I trust that he will carry through in that commitment and for that reason and with that assurance, I will vote against the resolution.

Mr. BAKER. Will the Senator yield?

Mr. COHEN. I yield.

Mr. BAKER. I wish to take this opportunity to express my profound admiration for the Senator from Maine. I know firsthand some of the anguish he has gone through in trying to arrive at a reconciliation of competing factors and trying to find the right decision according to his light and conscience. I commend him for what he has done. I commend him for his courage. I commend him for being a great Senator.

Mr. PERCY. Mr. President, I yield to my distinguished colleague, Senator Tower, 30 seconds or whatever time he might need.

Mr. TOWER. Mr. President, I have sat in this body for 20 years, and I have never seen a greater demonstration of moral courage or intellectual honesty than we have witnessed here today. We have just heard from a man who subordinated all else from his conscience.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. PERCY. Mr. President, I would like to add my words of commendation of Senator COHEN.

I yield myself such time as I may require.

I know what he has gone through. We have heard the eloquence with which he has expressed himself and the depth of feeling. The conclusions he came to have been the foundation of many of our own decisions, and certainly are what motivated the President.

He indicated a reference to the President's letter. I would like to read one sentence in that letter which is the assurance that many of us sought and believe in deeply.

We will continue to make available to Israel the military equipment it requires to defend its land and people with due consideration to the presence of AWACS in Saudi Arabia.

I believe every Member of this body stands behind that commitment the President of the United States has made to the Senate and to the majority leader.

Mr. President, I ask unanimous consent to incorporate in the RECORD sections of the letter of the President dealing with regional peace and security. The first deals with the concerns expressed in the resolution introduced by Senator HAYAKAWA who simply could not bring himself to vote and support the President unless he received a commitment from the President that answered these concerns.

Second, I ask unanimous consent to incorporate the section of the letter that deals with the concerns expressed by our distinguished colleague, also a member of the Foreign Relations Committee, Senator PRESSLER, who could not support this sale unless he received these commitments from the President of the United States.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS

That the sale contributes directly to the stability and security of the area, enhances the atmosphere and prospects for progress toward peace, and that initiatives have either been successfully completed or that significant progress toward that goal has been accomplished with the substantial assistance of Saudi Arabia.

I remain fully committed to protecting Israel's security and to preserving Israel's ability to defend against any combination of potentially hostile forces in the region.

Mr. PELL. Mr. President, at this point I yield to the minority leader such time as he might need.

THE ADMINISTRATION'S ARMS SALE PACKAGE TO SAUDI ARABIA

Mr. ROBERT C. BYRD. Mr. President, last week I announced my opposition to the administration's proposed arms sale package to Saudi Arabia.

In the final analysis, as I stated then, it was my judgment that the sale of five advanced air surveillance airplanes—known as airborne warning and control systems, or AWACS—would not serve the best interests of the United States. However, I also expressed deep concern that while the debate on this arms package had focused on the transfer of AWACS, we were overlooking a potentially more serious technology transfer issue—that of the AIM-9L Sidewinder air-to-air missile to Saudi Arabia.

I would like to reiterate three other concerns which led me to oppose the sale.

First, we are transferring highly sophisticated technology which, if compromised, could be of significant benefit to the Soviet AWACS program. This should be as much an issue of sovereignty for the United States as it is for Saudi Arabia.

Second, we are launching an escalating round of sophisticated weapons transfers to a highly volatile region of the world in which the primary focus of concern for the countries in the region remains the Arab-Israeli conflict, not the Soviet threat.

And third, we have all but abandoned the Camp David process, leaving the future of the Egypt-Israeli Peace Treaty uncertain at best.

Mr. President, in my remarks today, I want also to address two particular concerns which I touched upon in my speech last week. These are the proposed sale of the AIM-9L Sidewinder missile to Saudi Arabia, and the role of the Congress in the foreign policy decisionmaking processes.

According to the report on the proposed AWACS/F-15 enhancement sale to Saudi Arabia, compiled by the staff of the Senate Foreign Relations Committee:

The AIM-9L may present a more serious danger of security compromise because of its advanced seeker and fuze technology. The seeker and fuze technology allows this version of the Sidewinder missile to be fired at enemy aircraft from any angle rather than from the rear. While the Soviets are aware of the basic cooling technology involved, they do not yet have the manufacturing capability to produce a comparable all-aspect missile.

The AIM-9L uses a solid fuel rocket propellant to reach 2½ times the speed of sound. It reportedly has a range of 2 to 4 statute miles, depending on the operating environment. The lethality of the AIM-9L has also been increased significantly by improvements to its fusing mechanism and warhead. A new laser proximity fuse permits the warhead to be detonated nearer the target. The war-

head itself is of the annular blast fragmentation type, which uses two layers of metal rods wrapped around an explosive. On detonation, these rods disperse uniformly, creating a spherical destruction zone. The rods also tumble to cause maximum damage. It can home in on such comparatively low-heat sources as the heat generated by the air friction on the leading edge of an aircraft's wing. In sum, it is a state of the art weapon.

The AIM-9L is a joint Navy and Air Force development that provides both services with a common close-in Dog-fight missile. It is standard with the Navy F-14 and F-4 fighter aircraft, and Air Force F-15 fighter aircraft. The missile will be carried by the F/A-18 when that aircraft becomes operational with the Navy and Marine Corps.

According to the April 1980, issue of Defense Electronics Review, the AIM-9L, consisting of all-aspect launch, increased homing performance against maneuvering targets, and greater lethality, provided a major jump in the Sidewinder operational capability. The Air Force and Navy are now working on a new generation of Sidewinder, the AIM-9M which will be equally significant in improved capability.

Mr. President, what struck me in the article which appeared in the Defense Electronics Review is the fact that many of the improvements found in the AIM-9M, which is presently being developed, have: "Also been incorporated in the AIM-9L production program."

Mr. President, I am as deeply concerned over the possible compromise of the technology associated with the AIM-9L as I am regarding the proposed transfer of AWACS to Saudi Arabia. In this regard, I want to summarize what I stated in discussing this matter on the floor of the Senate last week.

The AIM-9L is a classified technology which Saudi Arabia has not been given security clearance to receive. The consideration of this sale should have gone through the normal procedures established to safeguard its security and protect it from risks of compromise or misuse. These procedures involve securing the approval of the National Disclosure Policy Committee prior to a sale's being finalized. The National Disclosure Policy Committee, a group made up of representatives of the Secretary of Defense and the various military branches, is charged with evaluating the eligibility of various nations to receive classified weapons technology and weighing the risks and rewards associated with the transfer of that technology.

In the case of the proposed sale of the AIM-9L to Saudi Arabia, however, a deviation from the normal safeguard procedures was made and an exception to the national disclosure policy was granted. The committee was bypassed.

Senator LEVIN, a member of the Senate Armed Services Committee, pressed Secretary of Defense Weinberger as to why these procedures were not followed. The only response Senator LEVIN was able to elicit from the Secretary was one indicating that the President himself decided to grant the exception to the national disclosure policy in the case of the sale of the AIM-9L. As a result of that deci-

sion, the Armed Forces were precluded from raising their concerns in the most appropriate forum available to them, the National Disclosure Policy Committee.

In light of the impressive nature of the AIM-9L technology, it is no wonder that 12 F-15 pilots wrote Representative Tom LANTOS, of California, earlier this year, to protest this sale. These pilots expressed concern that the missiles could fall into Soviet hands if they were sold to the Saudis, thus eliminating a critical American technological edge. They wrote:

The AIM-9L is so superior that it gives the American fighter pilot a believable chance of survival when confronted with the overwhelming numbers of Soviet aircraft we must face. If we, as a military force, are to maintain a credible deterrent defensive posture with a minimum of dollars, why give our technological edge away? Certainly we as pilots cannot be expected to fight against the overwhelming numbers of Soviet aircraft equipped with a compromised version of our AIM-9L when we know how effective the missile is.

The Chief of Naval Operations has repeatedly raised objections to the proposed transfer of AIM-9L's to any neutral or Third-World country. At present only our NATO allies and Israel have access to this technology since they have been given top secret ratings by the National Disclosure Policy Committee. The Navy's position has been consistent in asserting that it is imperative to restrict the sale of this missile only to those countries currently authorized to purchase the AIM-9L.

In my estimation, the case for opposing this package is made even stronger because of the AIM-9L issue. We have not received any assurances that the 1,177 AIM-9L missiles to Saudi Arabia can be secured against compromise. Senator LEVIN asked Secretary Weinberger whether the administration had consulted the CIA's counterintelligence risk assessment and the security survey report which are prepared after an onsite investigation. To my understanding, Senator LEVIN has not yet received a reply to his question.

I am concerned with the cavalier treatment given this highly sensitive technology transfer issue. Security procedures are established to prevent the compromise of technology which gives us an edge over our primary adversary—the Soviet Union. It is vital to the national security of our Nation that we preserve this technological lead as diligently as we can. This is our technology and we should be saving it for ourselves.

The procedures under which state of the art military technology is transferred to other countries should be followed with the highest degree of caution. They should never be discarded or compromised on political grounds. I fear, because of political considerations, these procedures were circumvented in regard to the AIM-9L sale to Saudi Arabia.

Mr. President, as I argued last week, and I will repeat the same argument today, I do not believe we should be providing top of the line military technology to any country in the world, without strict controls maintained by the United States. I believe the United States has not only a sovereign right, but also

a responsibility to maintain the integrity of all our military technology.

The Soviets are very conscientious regarding possible compromise of their own military technology. They maintain strict controls over the transfer of high technology items not only to neutral or Third-World nations, but within the Warsaw Pact as well. I do not believe we should be any less diligent than the Soviets in maintaining control over our high technology military systems.

I have serious difficulty with selling our top military technology to nations with which we do not have a treaty or defense relationship. Even if the prospects for compromise of this technology were remote, it is our technology which offsets the Soviet lead in the numbers of planes, tanks, guns, ships, and missiles.

I do not think we should promiscuously spread that technology throughout volatile areas of the world and increase the chances of giving away our edge in that technology to the Soviets.

The arguments to vote for the sale have been made for all the wrong reasons. They have turned mainly on fear over the Saudis' reaction—I addressed that point in my speech last week—or over concern for the President's prestige. It is that latter issue, that of the prestige of the President, which I now want to address.

As I noted last week, Mr. President, I believe the decision to provide the AIM-9L and AWACS to Saudi Arabia was wrong from the very beginning.

I believe the President was ill-served by his advisors when he agreed to proceed with this package. I believe the President continues to be ill-served by his advisers in pressing forward with a wrong decision. Finally, I believe the President is being ill-served in placing so much of the prestige of his office on the line in an attempt to gain congressional acquiescence for a bad decision.

What is the responsibility of the Congress if a bad decision is made by the executive branch which could be detrimental to this country's national interests?

When a wrong decision is made, a decision which could have an adverse impact on the national interests of this country, it is not only the prerogative, but also the responsibility of the Congress to overturn such a decision. The Congress and the executive branch are co-equal partners in the foreign policy formulation of our Government. The framers of our Constitution were very careful in constructing a system of checks and balances among the three branches of Government.

As noted constitutional scholar Louis Henking pointed out in his book, "Foreign Affairs and the Constitution":

The vast legislative powers of Congress that relate particularly to foreign affairs do not begin to exhaust its authority to make law affecting foreign relations. Congress has general powers that, taken together, enable it to reach virtually where it will in foreign as in domestic affairs.

The Commission on the Organization of Government for the Conduct of Foreign Policy was established in 1972 by Congress. The Commission was asked to make recommendations for the improvement of the governmental processes and

programs in the formulation and implementation of foreign policy. The report of the Commission was issued on June 28, 1975, and I cite the following from the report:

The Commission believes that while the executive branch should continue to conduct our relations with other countries, both the Constitution and political realities require shared participation and responsibility by the executive and legislative branches of government.

Mr. President, the Congress has enormous powers which are indispensable to the support of any foreign policy. Moreover, congressional laws made in pursuance of these powers are the "supreme law of the land." The President is bound by the Constitution to faithfully execute these laws.

Today, we are voting on a resolution to disapprove the sale of AWACS and other military equipment to Saudi Arabia. The authority for this congressional action can be found in section 36(b) of the Arms Export Control Act of 1976, which was signed into law by President Ford.

We are told that a vote against the President would unnecessarily damage his prestige and credibility in the conduct of foreign policy. This assertion is predicated upon the assumption that the President made a commitment to Saudi Arabia and the United States has to stick by this commitment.

Former President Carter also wrote me regarding this matter. In a letter dated October 11, 1981, President Carter asserted:

In the eyes of most nations a commitment by the President of the United States is considered to be a promise by our country.

A rejection of this commitment, rightly or wrongly, will be considered by our allies and potential adversaries as the breaking of a solemn agreement by the United States.

I submit, this line of argument is not consonant with the facts or the law. I am referring specifically to the Arms Export Control Act. Under section 36(b)(1) of the Act Congress states:

In the case of any letter of offer to sell any defense articles under this Act for \$25,000,000 or more, any design and construction services for \$200,000,000 or more, or any major defense equipment for \$7,000,000 or more, before such letter of offer is issued, the President shall submit to the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate a numbered certification with respect to such offer to sell.

Section 36(b) further stipulates:

The letter of offer shall not be issued if the Congress, within thirty calendar days after receiving such certification, adopts a concurrent resolution stating that it objects to the proposed sale, unless the President states in his certification that an emergency exists which requires such sale in the national security interests of the United States.

Under the law, the President is precluded from making such commitments until Congress has acted to disapprove or acquiesce in the letters of offer submitted to it for consideration. The only commitment the President can make is in the form of a letter of offer to a foreign government. Yet, that letter of offer cannot be issued, under the law, until the 30 calendar days following formal notification to the Congress has expired and a concurrent resolution of disapproval has

not, and I emphasize has not, been adopted by the House and the Senate.

I agree with the rationale behind the enactment into law of the Arms Export Control Act. The act was written for the very purpose we are debating today. If a mistake has been made by the executive branch on a proposed national sale of arms, the Congress has the opportunity to reverse that error. If we do not stand up now and carry out our responsibility, why did we write this law in the first place?

If we are always going to succumb to the argument—and we are always going to hear the same argument, Mr. President, the same argument—that if Congress does not support a given sale, then the President's credibility, the President's prestige, will be impaired? Well, if we are always going to succumb to that argument, right or wrong, why, then, do we not repeal the act? If any President believes that any arms proposal to any country represents a commitment on the part of this Government, does this mean that Congress must refrain from upholding the law? The whole process will have become a sham.

In 1978, the executive branch made specific and public assurances to Congress, and through Congress to the American people, that the AWACS and F-15 enhancement package would not be sold to Saudi Arabia.

I supported that arms sale package at that time, partly on the basis of the assurances that were given to Congress by the administration then in power.

These assurances were instrumental in the Senate approval of the F-15 sale to Saudi Arabia. I concede that circumstances have changed in the region, but this administration made the decision to proceed with this sale, unilaterally setting aside the 1978 assurances without fully consulting with Congress.

We are now told that a commitment has been made. Oh, yes, we were consulted with, when it appeared that the sales package would be rejected. Then—then and only then—did the administration ever bother to consult with me about the matter. I do not know how it responded to other Senators, but it was then, when the administration found that it was in difficulty for votes, that the administration said to me, "This ought to be a bipartisan matter."

I said to Mr. Allen at that time, "Well, I am glad you raised the point. I, too, think it should be a bipartisan matter."

I have consistently opposed making it a party matter, Mr. President, but I suggest that in the future, Congress be brought in on the takeoff and not just on the landing. It appears, Mr. President, that the consultation with Congress only becomes important when votes are needed.

In effect, officials of this administration and officials of former administrations are saying that a private promise to a foreign government, which was not revealed at the time, somehow takes precedence over public assurances and commitments made to the American people and their elected representatives. This runs counter to the intent of the Arms Export Control Act.

That the Congress and the Executive share in the foreign policy decisionmaking processes should not be in dispute. If a bad decision is made, members of Congress must shoulder the responsibility for reversing that mistake—a responsibility vested in us by the people and the Constitution. We should not be a rubber stamp, we should not follow any President blindly, dutifully, and unquestioningly over the precipice of error.

I believe the Senate would be abrogating its responsibility if it supported such a decision primarily on the basis of maintaining the prestige of the President, right or wrong.

Mr. President, must the destiny of this Nation ride on such a flimsy reed that it is important to the prestige of the President to win for the sake of winning, no matter how wrong a decision might be? The issue is not the Presidency. The issue is not the prestige of the President. The issue is the decision itself.

The world does not look just at the presidency when it comes to our conduct as a Nation. The world looks at the totality of our economic, military, and diplomatic authority which is shared by the executive and legislative branches. If any President makes a serious foreign policy mistake, the world is more secure in knowing that, under our system of checks and balances, Congress can vitiate a mistaken judgment.

I should think that most of the countries with which the United States must deal would be relieved to know that Congress is capable of exerting itself when a President makes a mistake.

If damage to the President's prestige is a factor to be weighed—and I think it should be—in the end, the Senate must weigh the potential damage to the prestige of the President against the damage the Nation may suffer through the compromise of our military technology or through an erroneous foreign policy.

In the case of this proposed arms sale to Saudi Arabia, the national interest of this country must come first. We must not, and cannot, allow our technology to be compromised, no matter how remote the possibility. Our technology is too important for us in balancing our conventional and nuclear capability with the Soviets.

Rather than hindering the President's ability to conduct an effective foreign and security policy around the world, the denial of this sale would serve as a potent lesson; and this lesson, it is hoped, would result in a more coherent and realistic foreign policy for the next 3 years than we have seen thus far in this administration. It also should signal the administration that the only credible foreign policy is one in which the executive and legislative branches are coequal partners. This means approaching major foreign policy issues in a spirit of serious consultation and thoughtful give and take.

If this happens, then the American people, through their elected representatives, can have confidence that our national interests are indeed being promoted and protected effectively around the world.

In the same vein, Mr. President, it seems to me that other countries could

be more sure that whenever commitments are made, those commitments have the backing of the legislative branch of Government and that that backing already had been assured by virtue of adequate consultations between the executive and the legislative branches before commitments are made.

We hear now the argument—in support of the sale—that if this sale is rejected, the Israeli lobby will bear the blame. Mr. President, what is more important—the security of the Israeli lobby or the security of the United States?

I simply need, in closing, to recall a line from Lincoln's Gettysburg address:

The world will little note nor long remember what we say here, but it can never forget what they did here.

Mr. PELL. Mr. President, I yield 6 minutes to the Senator from Maryland.

Mr. SARBANES. Mr. President, I strongly support the resolution of disapproval and oppose this proposed sale.

It is very important at the outset to underscore the fact that this package involves not just the AWACS, which has been talked about so repeatedly in the press, but also the enhancement package for the F-15's—a package which significantly increases the offensive capabilities and the range of the F-15's.

Mr. President, 3 years ago we had an extended debate in this body about the sale of the F-15's to Saudi Arabia. I opposed that sale at that time because I did not regard the sale of that advanced aircraft as serving America's interests. Opposed it, I might note, against the pressure of a President of my own party.

At that time, a major rationale used to persuade Senators to support the sale of the F-15's was that the enhancement equipment would not be sent with the planes and that they would not have an offensive capacity, a capability about which many Members were concerned.

Now we are confronted with a package that involves not only the AWACS, an extremely sophisticated and important command and control facility, but, in addition, includes the enhancement equipment withheld 3 years ago.

On June 27, 1980, in the face of reports that Saudi Arabia was seeking the enhancement equipment, 66 Senators signed a letter to the President urging him to reject such a request. The letter noted that, at the time of the 1978 debate, assurances had been given that such equipment would not be sold. I ask unanimous consent to have that letter printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. DURENBERGER). Without objection, it is so ordered.

(See exhibit 1.)

Mr. SARBANES. Mr. President, it is very important to focus on the arguments that are being made with respect to the peace process in the Middle East and the American relationship with Saudi Arabia.

The chairman of the Foreign Relations Committee and those supporting him in the committee made an argument—and I am now quoting from their minority views—that—

In 1978 the Congress approved the sale of F-5's to Egypt. Few believe now that Camp

David could have occurred without the reassurances of American support that Egypt received as a result of our willingness to make this sale.

They go on, then, to use the approval of that sale as an argument to approve this sale. I submit to my colleagues that just the opposite conclusion should be drawn. I supported the sale of the F-5's to Egypt in 1978. But the difference between the conduct of Egypt following that sale with respect to the effort to bring peace in the Middle East and the conduct of Saudi Arabia after the sale of the F-15's is like day and night. That sale did not bring Saudi support for the peace process, as it is asserted the sale of the F-5's to Egypt brought Egyptian support for the peace process.

In fact, to the contrary, what it brought was an effort by Saudi Arabia to subvert and undercut the peace process, its condemnation of President Sadat, and the refusal to be helpful in moving forward the Egyptian-Israeli efforts toward peace. How much further ahead would we be now in the Middle East if the Saudis had been supportive of the peace process which President Sadat and Prime Minister Begin so courageously launched?

Furthermore, not only have the Saudis sabotaged the peace process, but they have also continued to be the primary bankers for the terrorist PLO, with all the destruction it is causing in the Middle East and elsewhere in the world. Saudi leaders have stated that they regard Israel as their greatest enemy and have called for a "holy war" against Israel.

Mr. President, it is asserted by some that the Saudis have shown moderation with respect to their oil policy. I submit that the Saudi oil policy is motivated by one objective and one objective only, and that is their own self-interest. In pursuing their self-interest, they seek to accomplish two objectives: to maintain the power of the OPEC cartel and to maintain their primacy within the OPEC cartel. That Saudi oil policy is motivated by self-interest and not by any concern for the United States. This has been very well spelled out by Hobart Rowan in a number of columns. I ask unanimous consent that two of those columns be printed in the *Record* at the conclusion of my remarks.

Mr. President, this sale would introduce greater insecurity into the region. It would almost guarantee that in any future conflict which might break out in the Middle East Saudi Arabia would be moved into the very center of that conflict rather than being peripheral to it, which has been the situation in past outbreaks of hostility in that area.

This sending of the top of the line of military technology to Saudi Arabia and the continued significant arming of Saudi Arabia which has taken place over the past decade, an arming in enormous figures, is moving that nation more and more into a central position should there be an outbreak of conflict in that area. That is not a direction in which we should be moving matters in that area.

The exposure of our top of the line military technology to high security risk is not a prudent action. The compromise of that technology would be harmful and is not a chance we should be taking here today.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 2.)

The PRESIDING OFFICER. The Senator's 6 minutes have expired.

Mr. SARBANES. May I have 2 additional minutes?

The PRESIDING OFFICER. Who yields time?

Mr. PELL. I regret this. There may be a minute later, but I cannot make any exceptions.

The Senator from Delaware has some time.

Mr. BIDEN. I yield 1 minute from the time I have.

Mr. SARBANES. I thank the Senator from Delaware.

Mr. President, I wish to make two other very important points.

It has been asserted that the President has made assurances with respect to our continued support for the State of Israel. I point out that by fueling the arms race in the Middle East by the largest arms sales in our history we are markedly escalating the cost of arms in that area. Before the 1973 war, Israel was an economic miracle. Since then, it has undertaken a defense burden which is staggering in economic terms. It now repays to the United States each year the equivalent of the amount of economic assistance it receives. The more the arms race in the area is escalated, the greater the extra economic burden on Israel even if it is given access to additional military hardware. The more the arms race in the area is escalated the greater the instability and the distribution resulting from any outbreak of hostilities.

Finally, we have the clear responsibility here to exercise an independent judgment. There is something to the argument of supporting the President's role in the conduct of foreign policy, but it does not reach to the point of transcending the responsibility of Congress, as an independent branch of the Government, to exercise its own best judgment on the significant issues which come before it.

We are charged with that responsibility under the law according to whose provisions we are now proceeding. That law very definitely places a responsibility upon us to reach our own best judgment as to what is the best policy for this Nation.

And on that question, Mr. President, I very strongly conclude that America's best interest would not be served by this sale and hope that this body will pass the resolution of disapproval.

Mr. President, I ask unanimous consent that newspaper editorials discussing this issue be included in the *Record* at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the *Record*, as follows:

EXHIBIT 1

U.S. SENATE,
Washington, D.C., June 27, 1980.

The President,
The White House

DEAR MR. PRESIDENT: According to recent news reports, Saudi Arabia has asked to purchase from the United States additional military equipment related to the 1978 sale of 60 F-15's. It is our understanding that included in this request are such items as multiple-ejection racks, conformal fuel tanks, KC-135 aerial refueling tankers, AIM 9-L air-to-air missiles, and AWACS. We would like to remind you of assurances given by your Administration concerning such military equipment and to register our firm opposition to the Saudi request.

When the proposed F-15 sale was debated more than two years ago, major concerns were voiced in Congress as to the aircraft's potential offensive capability. In response to these concerns, officials of your Administration provided the Congress with a series of assurances and understandings that emphasized the defensive role and restricted the potential offensive threat posed by the F-15's. In particular, a letter from Secretary Brown on May 9, 1978, to Senator John Sparkman, then Chairman of the Senate Foreign Relations Committee, stipulated the following: "The F-15 we plan to sell to Saudi Arabia will have the same configurations as the interceptor model approved for the United States Air Force."

"The plane requested by Saudi Arabia will not be equipped with the special features that could give it additional range. Specifically, the planes will not have conformal fuel tanks ("fast packs"), i.e., auxiliary fuel tanks that conform to the body of the plane, and Saudi Arabian KC-130 tankers do not have equipment for air refueling of the F-15."

"Saudi Arabia has not requested that the plane be outfitted with multiple ejection racks (MER 200) which would allow the plane to carry a substantial bomb load. The United States will not furnish such MER's."

"Saudi Arabia has not requested, nor do we intend to sell any other systems or armaments that could increase the range or enhance the ground attack capability of the F-15."

In addition, in testimony before the House Foreign Affairs Committee on May 9, 1980, Secretary of Defense Brown was asked whether the United States was planning to provide the Saudis with an aerial refueling capacity for the F-15's. In response, Secretary Brown said: "The F-15 does have a receptacle, but the Saudis don't have an aerial refueling capability with a probe, so they will not be able to refuel the F-15."

Moreover, a separate letter was sent on February 16, 1978, from Assistant Secretary Bennett to Congressman Lee Hamilton in which the following statements were made concerning the AIM 9-L and AWACS:

"The Saudi Air Force is not scheduled to get the AIM 9-L all-aspect sidewinder missile which will be carried on the United States Air Force F-15's."

"An F-15 sale will not lead to the sale of E2C or E3A (AWACS). The F-15 has an excellent radar. Were the Saudis to purchase an aircraft with less effective radar than the F-15, they would be more than likely to seek an airborne radar system."

We feel that the sale of additional military equipment which would increase the range or otherwise enhance the offensive capability of the F-15's sold to Saudi Arabia would not be consistent with the above assurances and understandings given to the United States Congress. Therefore, we urge you to reject any such requests by Saudi Arabia for the

sale of the additional weapons and equipment as reported in the press.

Sincerely,

Signed by Senators: Armstrong, Baker, Baucus, Bayh, Bellmon, Biden, Boren, Boschwitz, Bradley, Bumpers, Chafee, Chiles, Church, Cohen, Cranston, Culver, Danforth, DeConcini, Durenberger, Durkin.

Eagleton, Ford, Hart, Hatch, Heflin, Heinz, Huddleston, Humphrey, Inouye, Jackson, Javits, Jepsen, Kassebaum, Kennedy, Laxalt, Leahy, Levin, Lugar, McGovern, Magnuson.

Moynihan, Mathias, Matsunaga, Metzenbaum, Mitchell, Morgan, Nelson, Packwood, Pell, Pressler, Proxmire, Pryor, Riegle, Roth, Sarbanes, Sasser, Schweiker, Simpson, Stevens, Stewart, Stone, Tsongas, Warner, Weicker, Williams, Zorinsky.

EXHIBIT 2

[From the Washington Post, Oct. 1, 1981]

AWACS: A FAVOR WE DON'T HAVE TO DO (By Hobart Rowen)

The hype for the sale of five AWACS radar planes and related military equipment to Saudi Arabia is reaching a crescendo. Head counts in the Senate appear to show a majority fear the equipment is too sophisticated for the Saudis, and eventually might fall into the hands of the Russians.

The argument that the AWACS sale is not in the best interests of the United States, it seems to me, is overwhelming and compelling. The case is so strong that it flushes out desperate, bottom-of-the-barrel arguments from the pro-sale crowd.

The easiest to dispose of is the plea that we "owe" the Saudis this one because they created an oil glut in order to help the United States. Columnist Carl T. Rowan writes that oil prices have come down recently because "the Saudis pumped more oil than was good for them." That's pure baloney, and you know who says so? My favorite source on this subject, Saudi Oil Minister Sheikh Yamani, when he talks candidly at home, and abandons the propaganda line he uses for his lectures in Paris or New York.

In an interview that appeared simultaneously Sept. 8 in the English-language Arab News and in the Arabic daily, Al-Sharq Al Aswat, Yamani admitted that the Saudis had not created the current glut in order to befriend the United States. The glut arose, he said, because demand had fallen in response to high prices that OPEC had ill-advisedly put into effect in 1979 and 1980.

A detailed quote from Yamani is instructive: "The present situation is different from the past when, during 1979 and 1980, the oil-price hike from a little over \$12, to \$32 or more, caused an enormous rush in investment in energy resources, with the view of cutting down on oil consumption and developing energy alternatives to reduce dependence on oil."

"This resulted in a fall in OPEC's shares in the market from over 31 million barrels daily in 1979 to much less than 24 million barrels this year. Some analysts, however, expect OPEC's share to fall in the early '90s to less than 15 million barrels daily. This would mean a collapse of the organization and a lot of economic hardships for Saudi Arabia, which basically relies on its oil revenues."

That's Sheikh Yamani talking. He added:

"The oil prices must be brought down, if we can, or at least remain at the present level for a long period until we are able to hold back investors from searching (for) energy alternatives, and until OPEC restores its previous position." As he should, Yamani is trying to take care of Saudi interests, not U.S. interests.

So much for the suggestion that we need to sell AWACS to the Saudis either to thank

them for pumping a lot of oil (they're doing that because they've got a big budget to support) or for not raising prices (that's because, as Yamani says, they know that higher prices will accelerate the switch away from oil). Wall Street oil expert Henry L. Wajtyla, uncannily right so far, estimates that non-OPEC oil sources are growing at an impressive 5 percent a year, presaging about an equivalent decline in the need for OPEC oil.

As Peter Lubin, a foreign policy analyst and associate of the conservative Center for International Security here, suggested in recent congressional testimony, the Saudis and the rest of OPEC are going to be fighting with others for a share of the market: the West doesn't have to do favors or grovel for oil, especially favors as big as the AWACS.

But if the glut is bad business now for the Saudis and the rest of OPEC, imagine what will happen if and when Iran once again begins to produce oil as it did under the shah—4, 5 or 6 million barrels a day. Clearly, that could result in a major break in oil prices that could have an even more devastating impact on the Saudi economy than Yamani allows in his candid interview.

And that's where the AWACS in Saudi hands could pose a danger to the West that has received almost no attention. British Professor J. B. Kelly, one of the world's leading experts on Saudi Arabia and the Gulf countries, raises the frightening possibility that the Saudis, their military strength augmented both symbolically and in reality by the AWACS, would "bully" their neighbors into holding oil production down, or actually take Persian Gulf territory, as Kelly charges they have done in the past.

This is not mere fantasy. Kelly documents the history of Saudi invasions of and territorial demands on the weaker sheikhdoms in the Persian Gulf over the years. Although the Saudis obviously don't like him, Kelly's expertise on the Middle East is highly regarded in the Reagan administration and on Capitol Hill. He asks precisely the right question on the proposed AWACS sale: "What is the U.S. going to get out of it?" Clearly, it's not oil, it's not bases. It would appear to be nothing at all, except, perversely, a new oil crisis enforced by Saudi AWACS.

[From the Washington Post, Apr. 30, 1981]

YAMANI'S NONSENSE

(By Hobart Rowen)

Sheikh Yamani, the oil minister of Saudi Arabia, is a master in the art of communication. For years, he has managed to convince otherwise sophisticated reporters and editors that his country, on behalf of its friends in the West, has exercised restraint in oil pricing.

In a speech to the Foreign Policy Association in New York last week, Yamani spoke of the "sacrifices" his nation is making to keep the United States happy, among them "forgoing \$1.9 billion annually in favor of the U.S.A." by maintaining oil prices \$4 per barrel lower than the rest of the cartel.

The fact is that the Saudis have a very clear and logical strategy that dictates their oil production and price levels. The \$32 Saudi price (compared with \$36 for the rest of OPEC) and their production at a sustained level of 10 million barrels a day have everything to do with the Saudis' own best economic interests, and nothing to do with keeping the United States happy.

The most significant development in the world energy market is that oil-producing capacity now exceeds demand, which has been slowed by high OPEC prices. Last year, the Big Seven industrial countries cut oil consumption by 3 million barrels a day, and there is every indication this is the start of a long-run trend.

On "Meet the Press" April 19, NBC's Bill Monroe brought up the matter of the glut, which is weakening oil prices. Guest Yamani

answered with a brilliant piece of propaganda later featured by the print and electronic media: "As a matter of fact, this glut was anticipated by Saudi Arabia and almost done by Saudi Arabia. If we reduce our production to the level before we started raising it, there would be no glut at all. So we engineered the glut and we want to see it in order to stabilize the price of oil."

He added that, if Saudi Arabia so chose, it could cut production of 10 million barrels a day to 6 million "and live happily at that level. And if you take away from the market 4 million barrels, then immediately, you will have a shortage. The price of oil will go up." As The Wall Street Journal quipped the next day, "How could anyone refuse to sell AWACS to a bunch of nice guys like that?"

The glut, of course, is a result of several factors, including a depressed world economy caused by high oil prices. In addition, there is the greater economic viability of coal, nuclear energy and other energy sources at these prices, as well as dramatic dividends from conservation. But no one on the "Meet the Press" panel called Yamani's bluff: A reduction of 4 million barrels a day in output would cost his government \$48 billion a year (each 1 million barrels a day at \$32 being worth \$12 billion annually to the Saudis), threatening the viability of the Saudi economy.

The correct reading of Saudi oil production and price policy was given by Yamani himself, in Dhahran, Saudi Arabia, a few weeks ago. Then he had to respond to criticism from a countryman for not going along with the higher prices of other OPEC nations.

"We must not be moved in the direction that other (OPEC) countries are moving in," Yamani said. Saudi Arabia, he continued, is "in a race with time" to establish an industrial base. "If we force the West to invest heavily in finding alternative sources of energy, they will," he continued. "This would take no more than seven years and would result in reducing dependence on oil as a source of energy to a point that will jeopardize Saudi Arabia's interests."

There you have a blunt, clear and defensible statement of the Saudi national interest. It contrasts quite sharply with the nonsense Yamani fed to the Foreign Policy Association about a \$1.9 billion "sacrifice" for the good old U.S.A. By keeping the price below the rest of OPEC, Yamani hopes to slow down the shift to alternative sources of energy. It is an intelligent economic decision.

On the other hand, as Yamani said in Dhahran, countries like Algeria, which by 1990 will run out of oil to export, want to push prices as high as possible to maximize their revenue in the short term. "If I were an Algerian," Yamani said, "I would no doubt wish that the price of oil today would reach \$100 a barrel—even if I brought the world economy down. Because no matter what happens to the world, they must buy this oil from me regardless of how much I encourage them to look for alternative energy source. . . ."

But the Saudis and Yamani must take a different approach. Relative price moderation will extend and protect marketability of their oil into the next century. But just as the Saudis wish to decelerate the trend away from oil use and toward coal, natural gas and nuclear energy, it is in America's best interest to accelerate that precise trend, diminishing excessive dependence on imports.

EXHIBIT 3

[From the Evening (Baltimore) Sun, Oct. 16, 1981]

AWACS: QUID PRO QUO

Two United States AWACS aircraft are patrolling Egyptian airspace today, in aid of an important ally. No one would begrudge

this American contribution to Egyptian defenses. Egypt has been a loyal ally of the United States in the attempts to bring peace to a troubled region—and at no small risk, as the assassination of President Anwar Sadat demonstrated 10 days ago.

The same cannot be said for Saudi Arabia, a nation which is not as important to the United States for its contribution to the peace process, but for the enormous strategic value of its main resource—oil, that is, for which the United States pays a mighty price. As the value of this resource has grown, so has the willingness of the United States to give in to practically any demand the Saudis make. But, despite assurances to the contrary, American acquiescence to these demands has not been met with a genuinely productive contribution to the peace process.

That, we believe, should be the main reason for opposition to the \$8.5 billion sale of arms to the Saudis. The package represents more than the five AWACS, which have become the main source of controversy. It contains a variety of equipment which would enormously enhance the offensive as well as the defensive capability of the Saudi air forces. Much of this equipment was specifically left out of the original agreement to sell F-15s to the Saudis as an inducement to congressional approval of that sale in 1978. The other inducement to Congress was an assurance that the 1978 sale would encourage Saudi cooperation in the efforts to negotiate peace in the region.

Those assurances simply have not been fulfilled. Now, the House of Representatives has overwhelmingly rejected the proposed arms package for many reasons, one of which must be the suspicion that lingers from the broken promises of 1978. The Senate Foreign Relations Committee, which has a most important voice in American foreign policy, has also rejected the sale. The full Senate, we hope will follow that recommendation, thus sending a message to Saudi Arabia that the people of America expect promises to be fulfilled, demonstratively, not furtively. It would be a just tribute to the late Anwar Sadat, the only Arab leader whose commitment to peace was uncompromising and deserving of enormous support from America.

[From the New York Times, Oct 27, 1981]

THE FINAL FOLLY OF AWACS

President Reagan is down to a single argument for selling the Awacs. Foolish or not, he contends, the deal has to be honored to enhance his influence abroad. To which the only reply is that rewarding folly with political triumph improves neither reputation abroad nor policy-making at home.

The folly is bipartisan and deserves the Senate's bipartisan rebuff. The dying Carter Administration promoted this deal and its successors eagerly seized the pretext of "new developments" to break a previous Presidential commitment. For Congress sold the Saudis F-15s—whose range and power are now to be enhanced by missiles, fuel tankers and Awacs—only because the last President promised they would not be thus enhanced. So much for the new President's guarantees about the conditions of sale.

But surely Mr. Reagan has been chastened, it is said, and does not have to lose to learn from a mistake. The signs are otherwise.

This confrontation results not from a single error but from the Administration's chronic failure to establish coherent foreign policies. It dramatizes the Reagan team's excessive reliance on weapons as a substitute for diplomacy. It demonstrates a crucial failure in consulting Congress and the absence of sound foreign policy coordination at the White House.

If he finally prevails, would Mr. Reagan shake up his team and demand better? Would he tell the Saudis they have exacted Washington's last tribute until they find a kind word for Camp David and use their

wealth to encourage Palestinians to talk to Israel? Hardly. He would commend the team and join America's Saudi traders in celebrating victory over the "Israeli lobby."

The President's ugliest argument notwithstanding, Israel is not the main issue. At great cost, its security will somehow be preserved.

What argues powerfully against the deal is that it nurtures a fantasy—Saudi Arabia as a pillar of American strength. If that were so, the Awacs would not be such a frantic test of good will. If that were so, the Saudis would have compromised, to help the President. If that were so, the deal wouldn't even be necessary; the American-manned Awacs now flying in Saudi Arabia would be welcome indefinitely.

Saudi Arabia insists on its own Awacs for the same reason it will not open itself to American bases: precisely because it fears the American embrace. To protect its wealth and ruling class, it naturally supports American actions that counter Soviet influence in the Middle East. But the Saudis also resist America, and not only because of Israel. They know that the United States represents modernism, secularism and democracy, all of which challenge the vulnerable Saudi status quo.

The Saudis are a commercial asset, not a strategic partner. They will not replace Iran in war games or Egypt in peace talks. Their useful opportunism should never be confused with alliance.

Most of Mr. Reagan's supporters in Congress now concede this. They argue only against invading the President's domain. But why did Congress vote itself this power of review if—even against such obvious error—it never meant to use it?

THE PRESIDING OFFICER. Who yields time?

Mr. PERCY. Mr. President, I yield 5 minutes to our distinguished colleague from Oklahoma.

Mr. BOREN. Mr. President, I thank my colleague from Illinois.

The question, as we conclude the debate on this sale, is not whether or not the terms of this sale are the ones that each one of us would have negotiated had we been in the position to do the negotiating. They are not the terms that I for one would have negotiated had I had that responsibility.

But the question that we must ask ourselves is this one. Will a rejection of this sale contribute to the stability of the Middle East and to the security of our friends in that area?

I must answer that it would not.

First, rejection would raise more questions about whether or not America keeps her word.

In the past several years the reputation of the United States as a reliable friend has been eroded. In the Middle East our off-again, on-again support of the Shah's Government of Iran is a prime example.

It is clear that two American administrations of both political parties have encouraged the Saudis to publicly request the sale of AWACS aircraft to their government. For us to lead another government to public embarrassment by not following through with our offers would be another signal to watching nations around the world that we are not a reliable friend.

Second, a rejection of this sale will make us less able to bring about a satisfactory conclusion of the Camp David peace process.

The lasting peace to be achieved in this region, the agreement and support of moderate Arab States must be obtained.

The United States must develop a broader range of friendships to achieve this goal. Egypt, Israel, and the United States acting alone cannot obtain the broad agreement which is needed.

To those who say that an arms sale to Saudi Arabia is not a substitute for our first goal of finishing the Camp David process, I answer that I agree, I ask them, however, how a rejection of this sale and the public embarrassment of the Government of Saudi Arabia will aid our task of bringing the moderate Arab States into the peace process?

Finally, Mr. President, even if all of the other arguments for opposing the rejection of this sale were cast into the doubtful column, I urge my colleagues to remember one fact. We must not forget as we make this decision, that the actual transfer of the technology will not take place for 4 years.

We are not being asked to place our immediate trust in the intentions of Saudi Arabia to help in bringing a peaceful resolution to the Palestinian question. We will have 4 years in which to observe Saudi actions in regard to the peace process. We will have 4 years to watch Saudi actions in regard to the right of Israel to exist. We will have 4 years to closely observe Saudi Arabia in regard to its actions to establish closer friendships with Egypt and other states friendly to the United States.

We will know much more in 4 years than we now know. If we find 4 years from now that this transfer would not contribute to a peaceful resolution of the disputes in this region the President has assured us that the transfer will not take place.

If we find that Saudi Arabia does not turn out to be the friend we believe and hope her to be, we will have adequate time to reverse our decision. Why decide now, Mr. President, not to even give that friendship a chance for further development? Why not at least try to build bridges to other Arab States in the hope of forwarding the peace process and reducing the pressures on our friends from Egypt.

Perhaps our experiment with Saudi Arabia for mutual defense and concerted action for seeking peace in the Middle East will fail. One thing is certain, it will fail if we never try it.

The risks are small compared to the immeasurable contribution to the cause of world peace which we will make if we succeed during the next 4 years before the actual transfer of equipment is even to take place.

Mr. President, this has been a difficult decision for me. As I said yesterday, I could not criticize any Senator who conscientiously comes to the opposite conclusion. But I cannot in conscience accept even a part of the responsibility for the consequences of a rejection of this sale.

The potential damage to our country is simply too grave. The risk is too great, and I urge my colleagues to vote against the resolution of disapproval, to put aside other frustrations with the proc-

ess and the means with which this sale has come before us, to put aside all other considerations, and to ask only Will rejection of the sale help the interest of the United States of America? If we can cast aside our other feelings and ask only that question, I am confident we can come to the conclusion that this sale should be approved.

The PRESIDING OFFICER (Mr. MURKOWSKI). The Senator's 5 minutes have expired.

The Senator from Illinois.

Mr. PERCY. Mr. President, I am pleased to yield 8 minutes to our distinguished colleague, Senator NUNN, who has done so much to help the President frame up the letter that has been released to the Senate today.

Mr. NUNN. I thank my colleague from Illinois.

Mr. President, I want to focus my remarks on two main points, one which has received significant attention and one which has been largely ignored.

The first is President Reagan's letter to the Senate in response to the Warner-Nunn resolution and other concerns as expressed by Members of the Senate.

In my judgment, the Presidential commitment, as expressed in the letter, meets in full both the overall thrust of the Warner-Nunn resolution as well as the specific and detailed conditions. It provides the assurances many Senators need in order to support the sale.

Each Member of the Senate has been provided with a copy but I would highlight several key provisions:

First, the President has outlined in the strongest possible terms his intent that the sale will not proceed until he certifies to Congress that the following conditions have been met:

SECURITY OF TECHNOLOGY

All the standard agreements and plans will be in place prior to the sale and the United States preserves the right of continual onsite inspection and surveillance by U.S. personnel of security arrangements for all operations during the useful life of the AWACS. In addition, the computer software which is the heart of the AWACS system will remain the property of the United States.

ACCESS TO INFORMATION

The United States will have continuous and complete sharing of information that the AWACS is obtaining. This is an extremely important provision, and in my judgment provides a better system for U.S. involvement than the joint/command arrangements others have suggested. With continuous and complete sharing, the United States will be knowledgeable on the operations of the AWACS at all times.

AWACS FLIGHT OPERATIONS

The AWACS will be operated solely within the boundaries of Saudi Arabia. The only exception would require the explicit mutual consent of the two Governments and the operations in all cases would be for defensive purposes as defined by the United States.

There are many more detailed elements of the President's letter, and I would urge each Senator to read it very carefully. It provides the necessary foundation and assurances that this system

will be protected, utilized in the manner intended, and will enhance our own military's capabilities in the region.

Mr. President, I have conducted a detailed analysis of the President's letter, but I know that has been discussed by others. Rather than take time on this point, I ask unanimous consent that the text of the Warner-Nunn resolution and the text of the President's letter be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1)

Mr. NUNN. Mr. President, my second major point relates to the largely ignored fact that the sale of this air defense package to Saudi Arabia will enhance the potential of U.S. military forces to protect U.S. interests in the Persian Gulf region.

President Carter has publicly committed this Nation to defend our vital interests in the Persian Gulf. President Reagan has repeated and expanded this pledge. We are spending billions of dollars to build and support a Rapid Deployment Force for this primary purpose.

All but lost thus far in the AWACS debate is the essential fact that Saudi Arabia is pivotal to a viable strategy for deterrence in the gulf region. All but lost thus far is the essential role which Saudi Arabia does and will play in support of any U.S. military options for defense of that region and our vital interests.

In testimony before the Senate Armed Services Committee on September 28, 1981, Gen. P. X. Kelley, Assistant Commandant of the Marine Corps, spoke in detail about the military importance of Saudi Arabia and this sale. His testimony unfortunately, was largely ignored by the news media. No person in uniform today has a better understanding of the military requirements and our current deficiencies in protecting our vital interests in the Persian Gulf than General Kelley. He was the first Rapid Deployment Force commander who had to organize this force and establish all the contingency plans for that region.

He knows what and where our deficiencies are and they are considerable.

General Kelley testified in part that:

There is no question in my mind that . . . if the U.S. is to display meaningful combat power to that part of the world, be it high threat or low threat, it is absolutely essential that we have free and willing—and I emphasize those two words, free and willing—access to Saudi land bases, Saudi ports, Saudi host nation support, and a considerable labor pool from the Saudis.

General Kelley continued:

Saudi Arabia is, without question as far as I am concerned, the linchpin to a viable U.S. strategy in the region. We must have meaningful relationships in that area. The consequences of not having such a relationship with the Saudis . . . are a very serious risk to this country. So I ask that the Committee not only consider the technical aspects of the AWACS, but also consider the geopolitical dimensions of our future relations, not only with the Saudis, but with the entire moderate Arab world.

Mr. President, the success or failure of any viable U.S. military strategy for the Persian Gulf will depend in large meas-

sure on how fast we can deploy a credible force to the region after first warning.

The first condition which must be satisfied in any deployment sequence, however, is to establish and maintain air superiority so as to protect American lives as the forces move into the area.

To be effective in both neutralizing the enemy and providing close support to endangered U.S. troops on the ground, our land-based and sea-based tactical air must possess knowledge of distant and impending air activity.

We must have the ability to anticipate the enemy's aerial intentions and to destroy enemy aircraft before they reach the battle area.

Without the proper level of air cover, the probability of success would be minimal. It goes without saying that the presence of an AWACS—compatible air defense network in Saudi Arabia would greatly facilitate deployment and is a critical element of our strategy.

Only the AWACS system can provide the U.S. soldier in the gulf region the kind of timely assistance from the air that the Israel soldier enjoys in defending Israel by virtue of a superior intelligence network on the ground and in the air.

We presently have inadequate facilities, maintenance equipment, and spare parts in the gulf region to support the exercise and deployment of U.S. forces. Currently, they literally start from zero combat power on the ground. With interoperable equipment like the AWACS, compatible facilities and trained United States and Saudi personnel already in place, the opportunities for a successful strategy are markedly improved.

In addition, when a force the size of the Rapid Deployment Joint Task Force deploys to the gulf as a deterrent or to counter Soviet expansionism, it must have an extensive base and facility infrastructure within reasonable distance for operations and support.

Saudi Arabia is the only country in the region which is both large enough and capable enough to provide that critical level of support in the immediate area of the Persian Gulf.

Mr. President, during the course of the debate we have heard much about the security of Saudi Arabia, the security of Israel, and the protection of American technology. These are all legitimate and sincere concerns.

In my view, however, we have not heard nearly enough about the protection of the lives of the American fighting men who every day train for some kind of contingency in that part of the world.

Almost everyone on both sides of this issue agrees that a rejection of this Presidential proposal will likely result in a termination or phasing out of the AWACS aircraft now operating out of Saudi Arabia under American control. Most experts agree that, in this event, the Saudis will replace the AWACS with the British Nimrod.

The Nimrod aircraft, although effective for Saudi purposes in many respects, will be much more difficult for American military forces to coordinate with in emergencies.

If this series of events occurs, and I hope it does not, America:

First, will have no continuous access to Nimrod information;

Second, will have no technicians operating or maintaining the Nimrod;

Third, will have no ground operating sites essential for interface with U.S. forces;

Fourth, will have no joint training; and

Fifth, will not have the timely warning so essential to military contingencies.

In summary, without AWACS during the next few crucial years in the Middle East, America's military ability to protect the Persian Gulf pledged by President Reagan and President Carter will be seriously degraded.

Without AWACS on the Arabian peninsula, the rapid deployment force could be deprived of critical warning of an impending hostile military action and could be deprived, once hostilities begin, of the capacity to win the air superiority battle essential to the fate of U.S. forces ashore.

I leave it to the opponents of this sale to explain this serious degradation of our emergency combat capability.

I leave it to the opponents to answer the question of the F-14 pilot flying from the carrier *America*: Where are the enemy aircraft?

I leave it to the opponents to answer the question of the Marine landing force commander on the assault ship *Okinawa*: How will I get close air support once ashore?

I leave it to the opponents to answer the question of the F-15 ground crew chief in a Middle East emergency: When will I know about an enemy airstrike headed for my airfield?

Mr. President, if this sale is vetoed by the Congress, these questions should and will be asked by the American military personnel who are prepared to risk their lives to protect our vital interests. I leave it to the opponents to answer the questions these American fighting men will legitimately pose. I do not have the answers.

Mr. President, the strong letter of certification from President Reagan and the military realities of defending the Persian Gulf area provide a compelling basis for supporting this package. It is clear to me that this sale is in the national security interests of the United States.

EXHIBIT 1

SENATE RESOLUTION 228—RESOLUTION RELATING TO TRANSFER OF AWACS TO ANY FOREIGN COUNTRY

Mr. WARNER (for himself and Mr. NUNN, Mr. HATCH, Mr. JOHNSTON, Mr. ABDNOR, Mr. BAKER, Mr. HARRY F. BYRD, JR., Mr. DENTON, Mr. EAST, Mr. GARN, Mr. GOLDWATER, Mr. HELMS, Mr. HUDDLESTON, Mr. HUMPHREY, Mr. LAXALT, Mr. LUGAR, Mr. MATTHIAS, Mr. McCLELLAN, Mr. MURKOWSKI, Mr. NICKLES, Mr. PERCY, Mr. RUDMAN, Mr. SIMPSON, Mr. STAFFORD, Mr. SYMS, and Mr. THURMOND) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 228

Whereas the Government of the United States seeks to foster security cooperation with friendly countries in regions of strategic importance;

Whereas it is in the national interest of the United States to respond to the legitimate defensive requirements of friendly governments to help them meet challenges to their security and to regional stability;

Whereas it is the goal of United States security assistance to complement United States defense programs in order to enhance the effectiveness of United States military capabilities and to provide tangible military benefits to the United States;

Whereas the security and self-confidence of local states are essential pre-conditions of lasting peace and stability in a region; and

Whereas it is essential to protect the technological advantages which underpin United States national security and military capabilities: Now, therefore, be it

Resolved, That it is the sense of the Senate that Airborne Warning and Control System (hereafter in this resolution referred to as "AWACS") contains equipment and technology warranting continued protection whenever such system is transferred by the United States to any foreign country, and that, accordingly, the President should transfer such system to another country only upon such terms and conditions consistent with the requirements of the Arms Export Control Act and this resolution to provide adequate continuing protection for the United States equipment and technology to be transferred.

SEC. 2. (a) Any agreement with a foreign country for a transfer by the United States of AWACS to that country shall include all of the requirements specified in the Arms Export Control Act, and in the standard Letter of Offer and Acceptance, as well as the following terms and conditions:

(1) a prohibition against granting access to AWACS equipment or technology or information derived from the AWACS to any country other than the United States without the consent of the President;

(2) a requirement that the recipient foreign country share continuously and completely with the United States the information it acquires from the use of the AWACS;

(3) adequate and effective procedures to require the screening and security clearance of citizens of the recipient foreign country and assurances that only cleared citizens of that country and cleared nationals of the United States will have access to the AWACS equipment, technology, or information derived therefrom;

(4) appropriate agreements upon the areas in which the AWACS may be operated in order to maintain security and regional stability;

(5) adequate and effective security measures for safeguarding AWACS equipment, technology, and information; and

(6) a requirement that such computer software, as designated by the United States Government, will remain the property of the United States Government.

(b) The Senate intends that, in the event of a breach of any of these contractual provisions, the United States will immediately terminate all support for the AWACS system.

SEC. 3. It is further the sense of the Senate that any foreign country receiving AWACS be one that promotes peace and stability.

SEC. 4. It is the sense of the Senate of the United States that, prior to actual transfer of any part of the AWACS system, the President shall certify to the Committee on Foreign Relations of the Senate that the conditions set forth in this resolution have been met.

SEC. 5. The Secretary of the Senate shall transmit a copy of this resolution to the President.

Mr. NUNN. Mr. President, the Senate resolution Senator WARNER, myself and others introduced today does not contain a magic formula that solves every Senator's concern with the AWACS sales.

It does, however, provide two significant advantages. First, the resolution gives the Senate a vehicle to address the various concerns Senators have with the sale of the AWACS in a broader context than simply the sale to Saudi Arabia. Many Senators are legitimately concerned about the transfer of American technology of this nature to any

nation. Many Senators are concerned about the physical security and use of this equipment by any recipient nation. This resolution addresses these broader concerns.

Second, this resolution, if passed, will require that the President certify to the Senate that certain safeguards as enumerated in the resolution have been agreed to by the United States and the recipient country. In the specific case of Saudi Arabia, we have had the administration's testimony in both the Armed Services Committee and the Foreign Relations Committee about certain "assurances, oral understandings, cable traffic, de facto agreements, and assured implications." There have been too many bitter experiences in recent years in our Government for the Senate not to insist on more certainty in respect to the conditions of sale of this equipment than we have so far received in either the Armed Services Committee or the Foreign Relations Committee. The resolution, if passed, requires that the President certify to the Senate that these conditions relative to the sale of AWACS to any nation have been met prior to any transfer of this equipment.

In addition, Senator WARNER and I have been assured by the White House that President Reagan will give a written commitment that each of these conditions will be agreed to in writing with the Saudis before any sale takes place. I recognize that this Senate resolution does not have the binding effect of law on the President, even if passed. A Presidential commitment in writing will be a necessary supplement to this resolution. I believe that President Reagan will live up to any such commitment.

Mr. President, 3 years ago I voted against the sale of F-15's to Saudi Arabia. There has been profound change and much increase in the danger in the Middle East since that time. The Soviets invaded Afghanistan providing a substantial military ground and air presence flanking the gulf. On the opposite flank, the Soviets have strengthened their position in Ethiopia and South Yemen. Libya with its massive store of Soviet arms is led by a fanatic. A former strong U.S. ally, Iran, has become unstable, unpredictable, and chaotic. Iraq and Iran are engaged in a military conflict. And in the middle of all that we have Saudi Arabia and the critical gulf oilfields. Without any doubt, they are in the middle of the most unstable part of the world.

President Carter has publicly committed this Nation to defend the Persian Gulf. President Reagan has repeated and expanded this pledge. We are spending billions of dollars to build and support a Rapid Deployment Force for this primary purpose.

All but lost thus far in the AWACS debate is the essential fact that Saudi Arabia is pivotal to a viable strategy for deterrence in the gulf region. All but lost thus far is the essential role which Saudi Arabia does and will play in support of any U.S. military options for defense of that region and our vital interests.

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"There is no question in my mind that... if the U.S. is to display meaningful combat power to that part of the world, be it high threat or low threat, it is absolutely essential that we have free and willing—and I em-

phasize those two words, free and willing—access to Saudi land bases, Saudi ports, Saudi host nation support, and a considerable labor pool from the Saudis.

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Mr. President, the success or failure of any viable U.S. military strategy for the Persian Gulf will depend in large measure on how fast we can deploy a credible force to the region after first warning.

The first condition which must be satisfied in any deployment sequence, however, is to establish and maintain air superiority so as to protect American lives as the force moves into the area. To be effective in both neutralizing the enemy and providing close support to endangered U.S. troops on the ground, our land-based and sea-based tactical air must possess knowledge of distant and impending air activity.

We must have the ability to anticipate the enemy's aerial intentions and to destroy enemy aircraft before they reach the battle area. Without the proper level of air cover, the probability of success would be minimal. It goes without saying that the presence of an AWACS-compatible air defense network in Saudi Arabia would greatly facilitate deployment and is a critical element of our strategy. Only the AWACS system can provide the U.S. soldier in the gulf region the kind of timely assistance from the air that the Israeli soldier enjoys in defending Israel by virtue of a superior intelligence network on the ground and in the air.

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In addition, when a force the size of the Rapid Deployment Joint Task Force deploys to the gulf as a deterrent or to counter Soviet expansionism, it must have an extensive base and facility infrastructure within reasonable distance for operations and support. Saudi Arabia is the only country in the region which is both large enough and capable enough to provide that critical level of support in the immediate area of the Persian Gulf.

Mr. President, during the course of the last 2 weeks we have heard much about the security of Saudi Arabia, the security of Israel, and the protection of American technology. These are all legitimate and sincere concerns. We have not heard much, however, and certainly not nearly enough in my view, about the protection of American lives.

Almost everyone on both sides of this issue agrees that a rejection of this Presidential proposal will likely result in a termination or phasing out of the AWACS aircraft now operating out of Saudi Arabia under American control. Most experts agree that, in this event, the Saudis will replace the AWACS with the British Nimrod. The Nimrod aircraft, although effective for Saudi purposes in many respects, will be much more difficult for American military forces to coordinate with in emergencies.

If this series of events occurs, and I hope it does not, America:

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In summary, without AWACS during the next few crucial years in the Middle East, America's military ability to protect the Persian Gulf pledged by President Reagan and President Carter will be seriously degraded.

Without AWACS on the Arabian peninsula, the Rapid Deployment Force could be deprived of critical warning of an impending hostile military action and could be deprived, once hostilities begin, of the capacity to win the air superiority battle essential to the fate of U.S. forces ashore.

I leave it to the opponents of this sale to explain this serious degradation of our emergency combat capability.

I leave it to the opponents to answer the question of the F-14 pilot flying from the carrier America: "Where are the enemy aircraft?"

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I leave it to the opponents to answer the question of the F-15 ground crew chief in a Middle East emergency: "When will I know about an enemy airstrike headed for my airfield?"

Mr. President, if this sale is vetoed by the Congress, these questions should and will be asked by the American military personnel who are prepared to risk their lives to protect our vital interests. I leave it to the opponents to answer the questions these American fighting men will legitimately pose. I do not have the answers.

I ask my colleagues to thoroughly consider U.S. national interest in the Persian Gulf region and the military requirements of protecting and defending those interests.

Mr. President, I believe the Warner-Nunn resolution enables us to deal with the many legitimate concerns about the sale of AWACS aircraft while not obscuring the paramount issue of how the United States protects its vital interests in the region.

I thank my colleague from Virginia for his diligent work and his long hours in helping prepare this resolution and in coordinating it. I pledge my continued support to him to see that it is adopted by the Senate and, most importantly, that the certifications that the resolution provides come from the White House and are considered by the Senate as a very important part of the deliberations before we vote on the final question of whether this sale shall go through.

THE WHITE HOUSE,

Washington, D.C., October 28, 1981.

HON. SAM NUNN,
U.S. Senate,
Washington, D.C.

DEAR SAM: As an originator of the Nunn-Warner proposal, I wanted you to have this letter for use in the Senate floor debate on AWACS today.

I am also sending this letter to the Senate Majority Leader and the Senate Democratic Leader.

Sincerely,

RON.

THE WHITE HOUSE,

Washington, D.C., October 28, 1981.

HON. SAM NUNN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR NUNN: On October 1, 1981, I formally notified the Congress of our intention to sell AWACS aircraft and F-15 enhancement items to Saudi Arabia. This

sale will enhance our vital national security interests by contributing directly to the stability and security of the critical area from the Persian Gulf through the Middle East to North Africa. It will improve significantly the capability of Saudi Arabia and the United States to defend the oilfields and facilities on which the security of the Free World depends, and it will pose no realistic threat to Israel.

When this proposed sale was first announced last spring, the Congress expressed concerns about certain aspects of the sale. After analyzing these concerns in detail, we entered into a series of discussions with the Government of Saudi Arabia over the summer.

The Government of Saudi Arabia has agreed, and I am convinced welcomes the fact, that the United States will have an important, long-term role and will maintain direct involvement in the development of the Saudi air defense system, including the AWACS. We also have reached agreement with the Saudi Government on a number of specific arrangements that go well beyond their firm agreement to abide fully by all the standard terms of the normal Letter of Offer and Acceptance as required by the Arms Export Control Act.

Transfer of the AWACS will take place only on terms and conditions consistent with the Act and only after the Congress has received in writing a Presidential certification, containing agreements with Saudi Arabia, that the following conditions have been met:

1. Security of Technology:

A. That a detailed plan for the security of equipment, technology, information, and supporting documentation has been agreed to by the United States and Saudi Arabia and is in place; and

B. The security provisions are no less stringent than measures employed by the U.S. for protection and control of its equipment of like kind outside the continental U.S.; and

C. The U.S. has the right of continual on-site inspection and surveillance by U.S. personnel of security arrangements for all operations during the useful life of the AWACS. It is further provided that security arrangements will be supplemented by additional U.S. personnel if it is deemed necessary by the two parties; and

D. Saudi Arabia will not permit citizens of the third world nations either to perform maintenance on the AWACS or to modify any such equipment without prior, explicit mutual consent of the two governments; and

E. Computer software, as designated by the U.S. Government, will remain the property of the USG.

2. Access to Information:

That Saudi Arabia has agreed to share with the United States continuously and completely the information that it acquires from use of the AWACS.

3. Control Over Third-Country Participation:

A. That Saudi Arabia has agreed not to share access to AWACS equipment, technology, documentation, or any information developed from such equipment or technology with any nation other than the U.S. without the prior, explicit mutual consent of both governments; and

B. There are in place adequate and effective procedures requiring the screening and security clearance of citizens of Saudi Arabia and that only cleared Saudi citizens and cleared U.S. nationals will have access to AWACS equipment, technology, or documentation, or information derived therefrom, without the prior, explicit mutual consent of the two governments.

4. AWACS Flight Operations:

That the Saudi AWACS will be operated solely within the boundaries of Saudi Arabia, except with the prior, explicit mutual consent of the two governments, and solely for

defensive purposes as defined by the United States, in order to maintain security and regional stability.

5. Command Structure:

That agreements as they concern organizational command and control structure for the operation of AWACS are of such a nature to guarantee that the commitments above will be honored.

6. Regional Peace and Security:

That the sale contributes directly to the stability and security of the area, enhances the atmosphere and prospects for progress toward peace, and that initiatives toward the peaceful resolution of disputes in the region have either been successfully completed or that significant progress toward that goal has been accomplished with the substantial assistance of Saudi Arabia.

The agreements we have reached with Saudi Arabia on security of technology, access to information, control over third-country participation, and AWACS flight operations will be incorporated into the U.S./Saudi General Security of Military Information Agreement, the Letters of Offer and Acceptance (the government-to-government sales contracts), and related documents.

These documents will stipulate that the sale will be cancelled and that no equipment or services will be delivered in the event any of the agreements is breached. I will not authorize U.S. approval of any of these contracts and agreements until I am satisfied that they incorporate fully the provisions that satisfy the concerns that you and I share. I do not foresee any need for changes in these arrangements, but should circumstances arise that might require such changes, they would be made only with Congressional participation.

I believe it is important to look beyond these agreements to their practical consequences, and to the implications of U.S. security assistance and training requested by Saudi Arabia. For example, the agreement we have reached with the Saudi Government to protect the security of equipment also affects the nature, extent, and duration of the U.S. role in the AWACS program. Since skilled Saudi personnel available for this program will remain in short supply, the U.S./Saudi agreement that third-country nationals will not be permitted to operate or maintain the Saudi AWACS will, in practice, extend U.S. involvement in Saudi AWACS operations and activities well into the 1990s.

U.S. military and contractor personnel will be required to provide extensive operational training for Saudi AWACS aircrews; it will be 1990 at the earliest before the eight Saudi crews needed to operate all five AWACS aircraft will be trained, and replacement and refresher training of individual Saudi crew members will require USAF Technical Assistance Field Teams during the 1990s. Critical AWACS maintenance, logistics, and support functions, particularly radar and computer software support, will, of necessity, be performed by U.S. personnel in Saudi Arabia and in the United States, for the life of the AWACS.

The Saudi agreement not to share AWACS-gathered information with third countries also has significant practical consequences. This agreement, combined with the standard requirement that U.S.-supplied equipment be used solely for defensive purposes, as well as the agreed-to Saudi AWACS configuration, precludes any possibility that Saudi AWACS could contribute to coordinated operations with other countries' armed forces against any nation in the region without our consent and cooperation.

Concerning the agreement to operate AWACS only inside the Kingdom, it should also be noted that the Saudi Air Force will be trained to operate the AWACS in accordance with standard USAF AWACS doctrine and procedures, which call for AWACS to remain at all times a "safe distance" behind sensitive political borders—normally 100 to

150 nautical miles—to ensure AWACS security and survivability. Given the physical location of the oilfields AWACS is to defend, the vulnerability of AWACS should it operate near sensitive borders, and the history of Saudi observance of U.S. Air Force tactical doctrine, we are confident that the Saudis will adopt these practices.

In a broader sense, by enhancing the perception of the United States as a reliable security partner, we improve the prospects for closer cooperation between ourselves and the Saudi Government in working toward our common goal of a just and lasting peace in the region. Since assuming the responsibilities of the Presidency, I have been impressed by the increasingly constructive policy of Saudi Arabia in advancing the prospects for peace and stability in the Middle East. The Saudi Government's critical contribution to securing a ceasefire in Lebanon is a striking example. I am persuaded that this growing Saudi influence is vital to the eventual settlement of the differences that continue to divide Israel and most of the Arab world.

I am confident that the Saudi AWACS will pose no realistic threat to Israel. I remain fully committed to protecting Israel's security and to preserving Israel's ability to defend against any combination of potentially hostile forces in the region. We will continue to make available to Israel the military equipment it requires to defend its land and people, with due consideration to the presence of AWACS in Saudi Arabia. We have also embarked on a program of closer security cooperation with Israel. This proposed sale to Saudi Arabia neither casts doubt on our commitment, nor compromises Israeli security.

It is my view that the agreements we have reached with the Government of Saudi Arabia take account of the concerns raised by the Congress. I am persuaded, as I believe the Congress will be, that the proposed Saudi air defense enhancement package makes an invaluable contribution to the national security interests of the United States, by improving both our strategic posture and the prospects for peace in the Middle East. I look forward to continuing to work with you toward these vital goals.

Sincerely,

RONALD REAGAN.

Mr. PELL. Mr. President, I yield a minute to the Senator from Connecticut.

Mr. DODD. Mr. President, I rise in strong support of House Concurrent Resolution 194, disapproving the proposed sale of five airborne warning and control aircraft and F-15 enhancement equipment to Saudi Arabia.

As a member of the Senate Foreign Relations Committee, I joined the committee majority in voting to disapprove this sale. During consideration of this proposal, the Foreign Relations Committee received testimony from a wide variety of administration, congressional, and public witnesses. They included Secretary of State Alexander Haig, Secretary of Defense Caspar Weinberger, Gen. David Jones, Chairman of the Joint Chiefs of Staff, and Adm. Bobby Inman, Deputy Director of Central Intelligence. We also heard from a number of distinguished Americans on both sides of the issue who have had extensive experience in the Middle East.

Since late February 1981, when the Foreign Relations Committee was first informed by the administration that AWACS might be included in the arms proposal for Saudi Arabia, the issue has been debated at great length and every possible argument for and against the sale has received considerable attention.

Mr. President, I will not attempt to enumerate all the arguments against this proposal, or attempt to refute the arguments put forth in support of this sale. Instead, I will simply explain the primary reasons I believe this sale is not in the national interest of the United States.

First and foremost, I believe this sale is unwise because it does not address the real causes of instability and tension in a region of the world which is absolutely vital to American and Western interests. Our initiatives in the Middle East must be designed to enhance regional stability, as well as our influence among the several nations of the area. However, I do not believe that the sale of AWACS and fighter enhancement gear will increase stability in the region, nor do I believe this sale is integrated into a broader conception of policy toward the Middle East.

The administration's Middle East policy, if it has one, is a policy of strategic consensus. The major threat to Middle East stability is seen as potential Soviet, or Soviet proxy, aggression. Under this policy of strategic consensus, we will encourage moderate states in the region to resist this potential aggression and provide them the arms to help them do the job.

While we cannot ignore the potential for Soviet moves in the Middle East, viewing the problems of the region through an East-West prism will inevitably distort our vision of the complexities of the Middle East. We run the risk of substituting American perceptions of the region for the reality of the situation as it exists and as it is perceived by the countries of the Middle East themselves.

Instability in the Middle East is a product of intense, historical, regional rivalries and not primarily a product of East-West competition. The regional problems of the Middle East include the following six.

First, the Arab-Israeli conflict raises the fundamental question of the status of the Palestinian people. Until the Palestinian question can be solved in a manner which safeguards fully Israel's right to exist and Israeli security, there can be no real peace in the Middle East. Yet, unfortunately, my impression of the administration's Middle East policy is that it has lost sight of the Camp David peace process, and has emphasized military initiatives to the virtual exclusion of anything else.

Second, the resurgence of religious fundamentalism poses a grave threat to the internal stability of many nations. We have already seen its disastrous effects in Iran, and more recently in the tragic assassination of President Anwar el Sadat in Egypt.

Third, the continuing civil war in Lebanon, which has transformed one of the most prosperous Arab nations into a battleground between Christians and Moslems, has also prompted the military intervention of neighboring countries.

Fourth, the war between Iraq and Iran continues and is still disrupting the oil producing capacities of both nations.

Fifth, the conflict between Ethiopia and Somalia over the Ogaden territory still simmers and has long been complicated by the shifting allegiances of the two countries.

Sixth, the territorial disputes between Saudi Arabia and South Yemen and between North and South Yemen have yet to be resolved.

These and other regional conflicts and rivalries are clearly more important and more worrisome to Middle Eastern leaders than a potential Soviet threat. In fact, it is the very existence of these conflicts which allows the Soviet Union to exert a disruptive influence within the Middle East. It is putting the cart before the horse to deal with a potential Soviet threat while ignoring the regional causes of instability.

It is instructive to note that the strategic consensus concept does not appear to be drawing support from the very nations which are supposed to help implement the policy. I would remind my colleagues of the well-known Saudi quote that they regard Israel, and not the Soviet Union, as the greater threat. And no less an Arab moderate than King Hussein of Jordan was quoted in a Washington Post article of September 23, 1981, as calling the policy of strategic consensus "simplistic." In discussing the policy Hussein said:

That sort of thinking is exactly why I think sometimes Washington has a rather simplistic attitude toward this area.

We would do well to remember our experience in the 1950's with the Baghdad Pact which was designed to draw together Middle Eastern states in an alliance against the Soviet Union. The pact collapsed in 1958 with the overthrow of King Faisal of Iraq. The Baghdad Pact was simply the strategic consensus of the 1950's.

The AWACS sale has become the symbol of the administration's strategic consensus policy. And like that policy, the sale of \$8.5 billion worth of military hardware and related equipment does not address the real regional causes of instability in the Middle East. It will only serve to distract our attention, as it already has, from the real issues of the region, and it will simply fuel a continuing, regional arms race.

Second, it is not clear to me that this sale really even deals effectively with the potential military threats to the Saudi oil fields. It assumes, first of all, that the greatest threat comes from low-level air attack on the oil fields. I believe a strong argument can be made that the threat of internal sabotage might well be a more dangerous threat than the potential for unprovoked aerial bombing. However, if there is a need to defend against air attack, it is clear that AWACS is superior to ground-based radar, but even so it will only add a very few additional minutes to scramble fighters to meet the threat.

From the data I have reviewed on the distances in the Persian Gulf, and the reaction times of various parts of the air defense system, everything would have to work perfectly for the AWACS, and AIM-9L, equipped F-15 fighter combination to make only one pass at attacking aircraft before they reach the oil fields. One must wonder whether it is really worth \$8.5 billion and a major foreign policy dispute.

In any case, the United States is now

operating four AWACS planes in Saudi Arabia providing aerial surveillance. These U.S. manned planes have been in Saudi Arabia for over 1 year, and will remain in Saudi Arabia for at least 4 years and maybe longer. These aircraft are doing the job of protecting the oil fields from low-level air attack. If they are performing their mission well, I can see no reason why they should not continue doing so.

Arguments over Saudi pride and sovereignty have been given wide attention. But, if the Saudis want U.S. AWACS in their country for 5 years and perhaps longer, and are perfectly willing and eager to accept that situation, I fail to see how their pride requires only Saudi controlled AWACS after 1985.

However, if the real issue of this sale is symbolic, then I would suggest there will always be new symbolic requests for the most sophisticated U.S. military equipment in the years to come. If we cannot make the distinction between realistic military requirements with U.S. controls and symbolism, then we should not be starting down this path.

Third, many have made the argument that this sale will lay the foundation for closer United States-Saudi military cooperation. If the "strategic consensus" is designed to help regional states withstand Soviet adventurism, then the Carter doctrine is its necessary counterpart. When President Carter pledged that the United States would use whatever means necessary, including military force, to insure the supply of Persian Gulf oil, a whole new set of requirements was created. One requirement was for a Rapid Deployment Force able to intervene quickly to defend the Persian Gulf. And if the RDF is to be rapid, it needs bases on the ground to deploy to.

A number of nations in the Middle East have responded to our needs in facilitating our defense of the Persian Gulf. Egypt and Israel both allow port calls by U.S. Naval vessels and have offered us use of military bases in a crisis. Egypt, in fact, has already held maneuvers with a RDF contingent, and Israel is expected to do so in the near future. We have negotiated basing agreements with Oman, Somalia, and Kenya. However, Saudi Arabia has clearly been less than enthusiastic about cooperating with U.S. Military Forces.

In addition, we have sold over \$34 billion worth of military equipment and services to the Saudis over the past 30 years. Over just the past 8 years, the total is \$32 million. Yet, we have been continually told that this particular sale will establish a foundation for better United States-Saudi military cooperation. There has been talk that in the future the Saudis might be more forthcoming on the issue of U.S. use of Saudi bases and even Saudi military equipment.

However, this potential cooperation is described only in the vaguest and most hopeful of terms. In reality, the Saudis have made it clear they will not accept foreign bases on their soil. In return for this sale, we are promised no more than a hope the Saudis might someday become more cooperative in military matters.

If we do not have a foundation for military cooperation with Saudi Arabia after a 30-year relationship and \$34 billion in military sales, I would respectfully suggest this particular sale will not usher in a new era of United States-Saudi military cooperation.

Secretary of Defense Weinberger, in a written response to a question posed by the distinguished Senator from Illinois, Senator PERCY, spoke hopefully of better military cooperation, but made it clear there are no assurances. Secretary Weinberger wrote:

We believe that the sale of AWACS and the other air defense enhancement items to Saudi Arabia will result in expanded cooperation between the U.S. and Saudi Governments all across the security spectrum.

There have been no detailed discussions on what specific facilities might be shared between the U.S. and Saudis in such an emergency.

While there are no written assurances that the Saudis would make their equipment of facilities available for U.S. use, the U.S. AWACS deployment to Riyadh establishes this precedent.

Mr. President, while the tone of Secretary Weinberger's response is hopeful, I believe the important phrases of his response are no detailed discussions and no written assurances. If the United States and Saudi Arabia do indeed have a common interest in safeguarding the Persian Gulf, then we should be able to expect greater cooperation in the military sphere. Past experience of military cooperation with Saudi Arabia gives us no ground for optimism that this particular sale will change Saudi attitudes.

Finally, Mr. President, we are warned of the drastic consequences if this sale is not approved. However, I have to believe that the Saudis have longer term interests than buying a particular piece of U.S. military equipment. I cannot deny that rejection of this sale will have an effect on United States-Saudi relations for the short term. And certainly our relationship with Saudi Arabia is an especially important one. But if it is true that we share similar views and interests in the Middle East, then defeat of this sale should not have a long term effect on our broader goals in the Middle East.

For these reasons, Mr. President, I urge my colleagues to support the resolution of disapproval.

I yield to the Senator from Rhode Island.

Mr. PELL. Mr. President, I yield 2 minutes to the Senator from Pennsylvania.

Mr. HEINZ. Mr. President, periodically issues come before the Senate which are dilemmas of both conscience and politics. The issues of substance are hard fought with compelling arguments on both sides. Both the prestige of the Presidency as an institution and the personal political fortunes of the current incumbent are said to be at risk. The electorate is divided. There are pressures to support the President whoever he is, support one's party, whichever it is, and to do the right thing whatever it is.

All Senators and Representatives face these pressures to varying degrees on every issue, but on occasion, usually on a foreign policy matter, a vote comes along that catalyzes them all. This vote on the

proposed sale of the AWACS and F-15 enhancement equipment to Saudi Arabia is such a vote.

In a way it is a tribute to President Reagan's leadership and decisiveness that he has sought this vote. But it is not surprising because, throughout his administration, President Reagan has demonstrated just such leadership and vision, and I have been pleased to consistently support his initiatives.

Take, for example, the President's bold economic program. I believe that the President is right when he says that reducing the growth of Government spending, providing incentives for savings and investment and giving relief from unnecessary burdensome Government regulation will put this country back on the path to prosperity and growth. I have had the privilege of serving on the two committees, Banking and Finance, which together made two-thirds of the President's proposed budget cuts. I worked hard to make those cuts as fair as possible, yet those were hard decisions for us all. But even though I did not get every change I wanted and had problems with some of the specifics, I supported those reductions as a package because they were necessary as a whole to get Government spending under control, bring inflation down, and restrain the growth of Government.

As a member of the Finance Committee, I worked hard to get an effective tax cut, especially one that would embody genuine capital formation incentives, such as my bill, the Capital Cost Recovery Act—or 10-5-3 as it is known. Again, while I was not able to get the administration to strengthen the business investment tax package as much as I believe they should have, I supported the President's tax plan as nonetheless a very good plan and one in the best interests of this country. I have also consistently supported the President's strong defense posture and his determination to restore the United States to a position of world leadership, and I have supported him time and again on foreign policy issues with my vote. And common to all of these decisions has been a process of give and take or advise and consent that has inevitably strengthened the final product.

In other words, I think the record demonstrates that the President has obtained such impressive support in this Congress not simply because he is the President, or because he has been basically right, or because he has not been afraid to make hard decisions, but because he has also been willing to accommodate valid concerns and incorporate better ideas.

Today, we in the Senate face another hard decision he has made. It is time, once again, for those of us in Congress, as we have done throughout the year, to assume our responsibility for making our part of the decision. We cannot abandon our responsibility to advise and consent today any more than we should have avoided making necessary and important changes in the President's tax and spending proposals. In the case of the AWACS sale before us today, my principal concern is not what the Presi-

dent proposes, but what the beneficiary of the sale, the Kingdom of Saudi Arabia, intends to do to discharge its responsibility to regional stability and peace.

Mr. President, I think most observers know I opposed President Carter's F-15 sale for many of the same reasons I have expressed strong reservations about this sale, and that I have stated concerns about this arms package as early as March of this year, long before President Reagan ever announced his intentions. To say that I objected to the Carter policy of bringing peace by selling arms to both sides would be accurate, and that concern is present as I address this sale today.

In fact, I must say that what we are voting on today is basically a decision made and all but finalized by Jimmy Carter. I do not view my decision today as being against President Reagan. I view it as continued opposition to the confrontational, counterproductive arms sale policy of another President, the consequences of which include continual and irreconcilable Saudi opposition to the Camp David peace accords, a process which represents our best chance for a real Middle East peace.

The history of this sale does indeed go back to 1978 when the Carter administration, responding to pressures from Saudi Arabia, successfully steered through Congress the sale of 62 F-15's to begin in 1982. That agreement was accompanied by assurances from then Secretary of Defense Harold Brown that the planes sold would be modified to insure their use only for defensive purposes and that a variety of offensive enhancement equipment would not be provided to the Saudis. I think it is fair to say that that was a key factor in obtaining congressional approval.

In 1979 and 1980, however, events in the Middle East, particularly the unraveling of stability in Iran and the subsequent war with Iraq, dramatically increased concerns in Saudi Arabia about regional stability, and they began to press the Carter administration for the offensive equipment for the F-15's previously denied them. In June 1980, Secretary Brown met with the Saudi Defense Minister to discuss that possibility, and, while encouraging the Saudis not to press such a request until after the Presidential election, apparently left the impression that the request would get a favorable hearing at that time.

Immediately after the 1980 Presidential election, it appears that President Carter, soon to leave office, had arrived at a tentative conclusion that he was favorably disposed toward an early and positive decision on the sale of the enhancement package and on an eventual sale of the AWACS. This decision, revealed in an April letter from former Secretaries Brown and Muskie to the Senator from Michigan (Mr. Levin), appears to have been made despite a campaign statement by President Carter that "There will be absolutely no change in the assurance given to the Congress in 1978 * * * on the sale of F-15's to the Saudi Arabians."

It also appears that the AWACS be-

came a more important commodity to the Saudis after four of the aircraft were sent to Saudi Arabia in September 1980, because of concerns that the Iran-Iraq war might spill over into Saudi territory and oilfields. The Saudi interest in obtaining the AWACS in addition to the enhancement equipment was apparently encouraged by some parts of the Defense Department interested in a means of expanding the U.S. military presence in the Persian Gulf region and seeing this as a means of partly achieving that objective.

In retrospect it seems clear, Mr. President, that various elements of the Carter administration both encouraged the Saudis to seek these advanced weapons systems and argued forcefully within the administration for approval of such a request on the grounds that American priorities in the region had to be viewed in a broader context than the Arab-Israeli conflict and that a military presence in the gulf area was desirable in the short term and essential over the long term.

The Reagan administration, after first rejecting a Carter offer to propose the sale to Congress before he left office, subsequently became persuaded by the same arguments, some of them made by the same people, particularly in the Defense Department, and formally decided on the sale package at a National Security Council meeting on April 1.

One of the arguments used at the time by proponents of the sale was that the Pentagon, going back into the Carter administration, had left the Saudis with the clear impression the sale would be approved, and that not to do so would be an act of bad faith which would do serious damage to our policy interests in the Middle East. Little or no consideration appears to have been given at the time to conditions under which the sale should take place, such as NATO-like command and control restrictions, or to what we might explicitly expect from the Saudis in return.

Thus it appears, Mr. President, that those who wanted this sale go well back into the last administration. They have also been doing their best to lock it into concrete and have then used the presumption that it is in concrete, meaning that Saudi prestige and our credibility are now at stake, as an argument to keep it that way. And that is where we are now. The Reagan administration has inherited—indeed has been persuaded to inherit—a policy that was virtually completed during the previous administration.

Mr. President, I know that many Republicans in this great country expect a Republican Senator to support a Republican President. Indeed, as I pointed out earlier, I am proud of my record of support. But in good conscience I cannot today support a policy which, had it been proposed by a Democratic President yesterday, I equally would have opposed. The irony, in this case, is that we are faced with a holdover, a residual proposition from the administration of a President whose failures in foreign policy certainly did not result from a lack of supporters on important foreign policy and defense votes.

Mr. President, I believe it is the responsibility of those who criticize to be constructive in their criticism and to offer satisfactory alternatives to achieve mutually-held national goals. From the outset of this debate which we began so many weeks ago, I have tried to meet this responsibility by determining what conditions would have to be present to enable me to vote in favor of allowing this sale to proceed. Basically, they are two:

Insuring that joint command and control, similar in concept to the way we share our AWACS within NATO, would be a guaranteed feature of the sale; or that the Saudis cease their hostility to the Camp David peace process and help find the means to make the process a more effective and certain instrumentality for a just and lasting Middle East peace. With the assassination of Anwar Sadat, the latter has become substantially more important and compelling than the former.

But, before I discuss my central concerns about this sale, I want to deal with an argument frequently advanced in support of this sale: that the AWACS and related equipment are militarily essential to protecting the oil fields from surprise attack. I believe that careful examination will show that this sale by itself, at least where defense is concerned, is militarily irrelevant. I know that the word "irrelevant" may shock some people, but I hope they will listen carefully to why I have chosen this characterization.

To reach a sound conclusion on this question we should first look at what kind of conflict we might anticipate there in light of both the volatility of the region and the possibility of a threat from various sources, both adjacent or farther away. The peculiarities of geography and terrain—specifically the close proximity of the belligerents, whoever they might be—have shown that the best war to wage in the Middle East is a preemptive one. In other words, the best way to insure that the other side's forces have been crippled is to attack and destroy them while they are still on the ground. This dictates a strategy of surprise attack and the need for virtual round-the-clock airborne radar surveillance by an AWACS or its equivalent.

Yet, what have we learned about the AWACS? From the Pentagon and the National Security Council I have been directly informed of the following and previously not well recognized facts, that even if Saudi maintenance is as good as ours, we can expect the AWACS in the air about only one-half the time, or approximately 325 hours per month. This is taking into consideration operational readiness rates of 60 percent or higher, admittedly a tough order to meet even by the most highly trained technicians. That leaves a large window for attack in the absence of the AWACS. This should be of grave concern even if it is no secret.

Twelve-hour-a-day radar surveillance is of concern because, the oilfields in Saudi Arabia, inevitably the main strategic objective of any attack, are only a few minutes flying time from potentially hostile bases. We have further

come to understand that the Saudis intend to deploy one-third of their fighter force in the immediate area around the oilfields thus making it possible for an opposition force to easily outnumber Saudi defenses. Subsequent flights from the more distant bases located at Taif and Khamis Mushait will be almost 1½ hours flight time away, making the opportunity for an enemy to inflict serious damage on the oilfields very likely. The simple fact, Mr. President, is that, viewing this sale as a strictly military measure, it is not at all an effective deterrent to a properly planned and well coordinated surprise attack. That is, of course, precisely the kind of attack that a competent enemy will perceive and plan.

This is not to suggest that the AWACS is not a useful system or that it does not or cannot do what its advocates have claimed for it. On the contrary, I am pointing out that even if it does precisely what it is supposed to do, that will not be enough. It will not provide the protection needed, and, since everybody knows it, it will not be a credible deterrent to the Dhahran surprise attack so greatly feared. It is for these reasons that I have characterized this sale as, from a defensive standpoint, irrelevant.

I said a moment ago I could accept the sale with a joint command and control agreement. I say this because I share the President's concerns about the instability in the Persian Gulf, and I share his objective of trying to better project our power there. Unfortunately, without guaranteed command and control we simply will have no assurance of our capacity to meaningfully project to potential adversaries the readiness and commitment that helps stop hostilities before they start. Regrettably, we have been consistently unable to secure any such agreement from the Saudis, and the arrangements agreed to by the Saudis thus far reported—they are far from confirmed I might add—are not satisfactory. For a fuller discussion of this, I ask unanimous consent that an article by Charles Mohr from the October 25 New York Times be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAUDIS COULD BAR AWACS MONITORING
U.S. MILITARY EXPERTS SAY NONE OF THE PROPOSED PLANS ARE FOOLPROOF
(By Charles Mohr)

WASHINGTON, Oct. 24.—Military experts say that American personnel could be prevented by electronic means from monitoring all information gathered by Saudi Arabian AWACS aircraft. However, the officers say, the Americans would know that they were being denied the information.

In an effort to win votes for the proposed sale of five Airborne Warning and Control System aircraft, the Administration has said that Saudi Arabia has agreed to "complete sharing" of all information gathered by the plans on a "continuous" basis.

A report written last month by four professional staff members of the Senate Foreign Relations Committee after interviews with United States personnel operating four American AWACS in Saudi Arabia discussed three methods by which Americans on the ground could gather information from Saudi-flown AWACS. The report concluded that none were foolproof.

This is one of several questions that remain clouded as the Senate prepares to debate and vote Wednesday on the proposed \$8.5 billion sale of five AWACS and other air defense equipment.

EIGHT SAUDI CREWS TO BE TRAINED

For instance, plans for training eight Saudi crews to man the planes do not seem firm. A Defense Department official said yesterday that "we're doing a study now to determine how it is going to have to be done." He added that it might be more than a year before the study was complete and a training syllabus was developed.

However, Pentagon officials revealed that one crew, which would be qualified to help teach subsequent crews, would be trained for approximately a year in the United States. The first crew would finish its course by late 1985, or approximately when the first Saudi AWACS would be ready for delivery to Riyadh.

A second crew would finish training in the United States "prior to the end of 1986," the officials said. The other six Saudi crews would be trained in Saudi Arabia on a slower schedule, the last finishing in December 1989, the officials said.

Such training schedules are much slower than those for NATO and United States Air Force AWACS crews, a factor that has assumed political importance. It has allowed Administration officials to suggest that the presence of United States Air Force training personnel on Saudi AWACS flights would be necessary for years and would be a de facto substitute for formal agreement to "joint crewing" demanded by some senators.

DATA-SHARING IS A NEW IDEA

The stretched-out schedule for training Saudi personnel leaves questions in some experts' minds as to when the aircraft would be fully operational to fly missions over eastern Saudi Arabia to protect the vast Saudi oil installations—the main purpose of the sale.

A "continuous" sharing of information gathered by Saudi AWACS was not originally contemplated as part of the terms of the sale. When Senator Howard H. Baker, Jr., Republican of Tennessee, the majority leader in the Senate, spoke last summer in a television interview of "sharing the take," a Defense Department official said that such sharing would be "meaningless" and of no value to the United States.

Administration officials had contended that because the AWACS planes are not intelligence-gathering aircraft but early warning airborne radar platforms they gather only "track data" showing air traffic patterns. In times of crisis such data can provide "tactical intelligence" but the information is valuable for only a short time.

Because of Congressional concerns that Saudi Arabia might use the AWACS against Israel and because some senators "just like the idea," the understanding on information-sharing became a central part of the Administration argument, officials have said.

Mr. HEINZ. And this brings me to my preferred solution. I hope that our friends in Saudi Arabia are listening carefully, because what I have to say is important for them to hear. In sum it is to stop being part of the problem and to start being part of the solution.

Let me explain this further. I believe that a careful analysis of Saudi policies shows frequent contradictions with the interests of the United States and behavior which is inimical to the broader interests of peace and stability.

Saudi Arabia has consistently been one of the strongest supporters of the Palestine Liberation Organization, the region's premier terrorist group, with respect to which President Reagan only 2

weeks ago confirmed our longstanding policy of nonrecognition and nonnegotiation until the PLO recognizes Israel's right to exist.

Saudi Arabia has severed diplomatic relations with Egypt and terminated economic support from its government because of the Camp David agreements, the one genuine effort to achieve peace which has occurred in the past 4 years. The Saudi policy toward Egypt has helped to undermine these agreements and has encouraged the rejectionists in their efforts to destroy those agreements and escalate the level of violence and terrorism.

Finally, we have not just Saudi actions, but their words as evidence, as when earlier this year Crown Prince Fahd called for a jihad against Israel, the other participant in the Camp David peace process. There have been various explanations of what he meant by that, but regardless of what he meant, that kind of language cannot help but play into the hands of the radicals in Libya and the PLO and other terrorist groups that want to destroy Israel. Indeed, even Prince Fahd's "eight points" of August 7 do not signal to the careful reader any necessarily real change, the only possible ray of hope being the rather ambiguous reference of point No. 7, "That all states in the region should be able to live in peace."

Despite this record, however, I could understand an argument for a sale of military equipment if there were some basis for an expectation that a more conciliatory policy would be forthcoming. I recall that in 1978 among the arguments used by the Carter administration was the hint that the sale of the F-15's would produce greater Saudi cooperation in the peace process. That was a hint which I suspect influenced a number of votes.

The record since 1978, however, suggests that it was a vain hope. Most of the actions I have just mentioned—the hostility toward Egypt, the rejection of the Camp David agreements, the financial support of the PLO—have begun or continued since 1978. In short, at that time we offered a quid and received no quo. Whether we had a right to expect one or not is of historical interest but immaterial to today's debate. The point is that we did not receive one, and it is legitimate to ask the same question today—what will we receive from this sale?

The answer, I fear, appears to be very little. The administration has thus far been unable to suggest anything that will happen in the way of greater Saudi cooperation on any of the policy initiatives that are important to us. We have some agreements on limiting the use of the equipment—keeping the AWACS within Saudi territory, keeping third country nations out of it, and so on—but the Saudis have consistently been unwilling to give us anything substantive, specific or in writing on their policy intentions.

In a way one has to admire the integrity with which they have proceeded in this debate. Neither their demands nor their intentions have been compromised, despite the inevitable pressures

to do so. To me, their intentions are the critical question, since it has become clear over the past 8 years that Saudi policy interests and ours do not coincide in all respects. It would be surprising if they did. But it is nonetheless our responsibility, before we make available advanced weapons systems, such as we are debating today, we must assure ourselves that there is sufficient coincidence of interest and policy to justify this virtually unprecedented step.

After all, we are not selling them jeeps and machineguns. We were providing some of the most sophisticated equipment we have in our arsenal with fewer constraints than we have sought from our closest allies in NATO. It is not a matter to be treated lightly, and it is legitimate that we not only ask ourselves what we can reasonably expect to obtain in return, but that we receive some satisfactory answers—in this case from the Saudis—as well.

In view of the history of this issue, we might also ask ourselves—and them—where this episode is likely to lead. The F-15 sale was followed by a request for the enhancement equipment and then the AWACS. Can we expect further requests in the future? Given desirability of a preemptive attack capability in the Middle East, can we expect a request for offensive equipment? I believe it is a mistake to treat each request and sale on an ad hoc basis without a clearer understanding of what the Saudis now intend toward the peace process.

Without such an overall view of Saudi policy, I fear that we may ignore or gloss over where the real differences in the United States-Saudi relationship lie. For example, while the administration has stressed that the Soviet Union is the true threat to the region, Saudi Arabia has made it clear that it is Israel and the unresolved Palestinian question that is most bothersome. Without establishing a path that would substantially aid the beleaguered peace process, the administration has a slim chance of producing the strategic consensus in the Middle East that it and we so badly want. It is difficult to believe that the various parties in the region would be willing to fall in line against a secondary threat until what they perceive as the primary threat is resolved.

This Saudi world view as currently advertised by them has devastatingly destructive consequences for the peace process. The basic formula for peace in the Middle East is for Israel to trade territory captured in 1967 for recognition and security. An intransigent Saudi Arabia, especially with its commitment to supporting the PLO, makes it increasingly unlikely that autonomy discussions about the West Bank will ever lead anywhere. Failure to come to grips with this issue must ultimately shatter the overall Camp David process and bring us to the point where everything built toward a comprehensive peace by the courage and vision of a martyred Anwar Sadat might tumble into chaos. It is in order to avoid this catastrophe that the Saudis must stop grandstanding and start playing the role of statesman and peacemaker commensurate with their proud heritage.

I can sum up my argument today in

this fashion: I am not opposed to the principle of selling the Saudis the equipment they need for their defense, even if it includes AWACS. What I care about is achieving a just and lasting peace in the Middle East, and whether the Saudis will play a positive role in the peace process.

So far as I can determine, they have expressed nothing but hostility to the Camp David process, a process that Anwar Sadat was willing to die for.

Since we all know that this sale will do little substantively to improve Saudi defenses, the principal value to the Saudis is political and symbolic.

It is my view that until the Saudis clearly signal that they want the peace process to work, we should not reward their intransigence by permitting this sale to go forward.

I know that all of us in the Senate Chamber today have given this matter our deepest and most careful thought. This is an issue over which men and women of equal sincerity can differ, as evidenced by what we all know to be the nearly even division in the Chamber, a division that does not respect party lines. But, I would be less than candid if I characterized my vote for this resolution as an easy vote. It is not easy. It is never easy because we are all human and we can never be sure that all our judgments are right. And in this instance I am not on the other side of the issue from my President, Ronald Reagan, a man I worked very hard to elect and have since worked to help in every possible way.

I intend to continue to work with and for my President; and my commitment to his twin goals of a more prosperous America at home and a more respected America abroad will continue irrespective of any difference that may exist on this particular vote on this particular day.

Mr. PERCY. Mr. President, I yield to my distinguished colleague from Virginia. May I ask if the Senator from Iowa (Mr. JENSEN) comes to the floor whether it would be possible for the Senator to yield some time to him?

Mr. WARNER. Mr. President, I would be more than happy to yield the time which I asked for today to the Senator from Iowa, as I have done previously to the Senator from Maine because I know of the importance of hearing from those two Senators.

My position on this issue has been clear from the very beginning.

I wish to acknowledge to my distinguished colleague from Georgia his leadership on this issue. It was his leadership that led to the introduction of the Nunn-Warner resolution. The letter that we received today from the President of the United States was addressed to the majority leader, the minority leader, my colleague from Georgia, and myself.

This letter from the President meets the commitment and the conditions that Senator NUNN and I set forth in that resolution. In our collective judgment, the letter enables a number of our colleagues to join in wholehearted support of the President's efforts to make this sale.

Mr. President, I ask unanimous consent that the letter from President Reagan be printed in the Record.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, October 28, 1981.

Hon. JOHN W. WARNER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JOHN: As an originator of the Warner-Nunn proposal, I wanted you to have this letter for use in the Senate floor debate on AWACS today.

I am also sending this letter to the Senate Majority Leader and the Senate Democratic Leader.

Sincerely,

RON.

THE WHITE HOUSE,
Washington, October 28, 1981.

Hon. JOHN W. WARNER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WARNER: On October 1, 1981, I formally notified the Congress of our intention to sell AWACS aircraft and F-15 enhancement items to Saudi Arabia. This sale will enhance our vital national security interests by contributing directly to the stability and security of the critical area from the Persian Gulf through the Middle East to North Africa. It will improve significantly the capability of Saudi Arabia and the United States to defend the oilfields and facilities on which the security of the Free World depends, and it will pose no realistic threat to Israel.

When this proposed sale was first announced last spring, the Congress expressed concerns about certain aspects of the sale. After analyzing these concerns in detail, we entered into a series of discussions with the Government of Saudi Arabia over the summer.

The Government of Saudi Arabia has agreed, and I am convinced welcomes the fact, that the United States will have an important, long-term role and will maintain direct involvement in the development of the Saudi air defense systems, including the AWACS. We also have reached agreement with the Saudi Government on a number of specific arrangements that go well beyond their firm agreement to abide fully by all the standard terms of the normal Letter of Offer and Acceptance as required by the Arms Export Control Act.

Transfer of the AWACS will take place only on terms and conditions consistent with the Act and only after the Congress has received in writing a Presidential certification, containing agreements with Saudi Arabia, that the following conditions have been met:

1. Security of Technology.—

A. That a detailed plan for the security of equipment, technology, information, and supporting documentation has been agreed to by the United States and Saudi Arabia and is in place; and

B. The security provisions are no less stringent than measures employed by the U.S. for protection and control of its equipment of like kind outside the continental U.S.; and

C. The U.S. has the right of continual on-site inspection and surveillance by U.S. personnel of security arrangements for all operations during the useful life of the AWACS. It is further provided that security arrangements will be supplemented by additional U.S. personnel if it is deemed necessary by the two parties; and

D. Saudi Arabia will not permit citizens of third nations either to perform maintenance on the AWACS or to modify any such equipment without prior, explicit mutual consent of the two governments; and

E. Computer software, as designated by the U.S. Government, will remain the property of the USG.

2. Access to Information.—

That Saudi Arabia has agreed to share with the United States continuously and completely the information that it acquires from use of the AWACS.

3. Control Over Third-Country Participation.—

A. That Saudi Arabia has agreed not to share access to AWACS equipment, technology, documentation, or any information developed from such equipment or technology with any nation other than the U.S. without the prior, explicit mutual consent of both governments; and

B. There are in place adequate and effective procedures requiring the screening and security clearance of citizens of Saudi Arabia and that only cleared Saudi citizens and cleared U.S. nationals will have access to AWACS equipment, technology, or documentation, or information derived therefrom, without the prior, explicit mutual consent of the two governments.

4. AWACS Flight Operations.—

That the Saudi AWACS will be operated solely within the boundaries of Saudi Arabia, except with the prior, explicit mutual consent of the two governments, and solely for defensive purposes as defined by the United States, in order to maintain security and regional stability.

5. Command Structure.—

That agreements as they concern organizational command and control structure for the operation of AWACS are of such a nature to guarantee that the commitments above will be honored.

6. Regional Peace and Security.—

That the sale contributes directly to the stability and security of the area, enhances the atmosphere and prospects for progress toward peace, and that initiatives toward the peaceful resolution of disputes in the region have either been successfully completed or that significant progress toward that goal has been accomplished with the substantial assistance of Saudi Arabia.

The agreements we have reached with Saudi Arabia on security of technology, access to information, control over third-country participation, and AWACS flight operations will be incorporated into the U.S./Saudi General Security of Military Information Agreement, the Letters of Offer and Acceptance (the government-to-government sales contracts), and related documents. These documents will stipulate that the sale will be cancelled and that no equipment or services will be delivered in the event any of the agreements is breached. I will not authorize U.S. approval of any of these contracts and agreements until I am satisfied that they incorporate fully the provisions that satisfy the concerns that you and I share. I do not foresee any need for changes in these arrangements, but should circumstances arise that might require such changes, they would be made only with Congressional participation.

I believe it is important to look beyond these agreements to their practical consequences, and to the implications of U.S. security assistance and training requested by Saudi Arabia. For example, the agreement we have reached with the Saudi Government to protect the security of equipment also affects the nature, extent, and duration of the U.S. role in the AWACS program. Since skilled Saudi personnel available for this program will remain in short supply, the U.S./Saudi agreement that third-country nationals will not be permitted to operate or maintain the Saudi AWACS will, in practice, extend U.S. involvement in Saudi AWACS operations and activities well into the 1990s. U.S. military and contractor personnel will be required to provide extensive operational training for Saudi AWACS aircrews; it will be 1990 at the earliest before the eight Saudi crews needed to operate all five AWACS aircraft will be trained, and replacement and refresher training of individual Saudi crew

members will require USAF Technical Assistance Field Teams during the 1990s. Critical AWACS maintenance, logistics, and support functions, particularly radar and computer software support, will, of necessity, be performed by U.S. personnel in Saudi Arabia and in the United States, for the life of the AWACS.

The Saudi agreement not to share AWACS-gathered information with third countries also has significant practical consequences. This agreement, combined with the standard requirement that U.S.-supplied equipment be used solely for defensive purposes, as well as the agreed-to Saudi AWACS configuration, precludes any possibility that Saudi AWACS could contribute to coordinated operations with other countries' armed forces against any nation in the region without our consent and cooperation.

Concerning the agreement to operate AWACS only inside the Kingdom, it should also be noted that the Saudi Air Force will be trained to operate the AWACS in accordance with standard USAF AWACS doctrine and procedures, which call for AWACS to remain at all times a "safe distance" behind sensitive political borders—normally 100 to 150 nautical miles—to ensure AWACS security and survivability. Given the physical location of the oilfields AWACS is to defend, the vulnerability of AWACS should it operate near sensitive borders, and the history of Saudi observance of U.S. Air Force tactical doctrine, we are confident that the Saudis will adopt these practices.

In a broader sense, by enhancing the perception of the United States as a reliable security partner, we improve the prospects for closer cooperation between ourselves and the Saudi Government in working toward our common goal of a just and lasting peace in the region. Since assuming the responsibilities of the Presidency, I have been impressed by the increasingly constructive policy of Saudi Arabia in advancing the prospects for peace and stability in the Middle East. The Saudi Government's critical contribution to securing a ceasefire in Lebanon is a striking example. I am persuaded that this growing Saudi influence is vital to the eventual settlement of the differences that continue to divide Israel and most of the Arab world.

I am confident that the Saudi AWACS will pose no realistic threat to Israel. I remain fully committed to protecting Israel's security and to preserving Israel's ability to defend against any combination of potentially hostile forces in the region. We will continue to make available to Israel the military equipment it requires to defend its land and people, with due consideration to the presence of AWACS in Saudi Arabia. We have also embarked on a program of closer security cooperation with Israel. This proposed sale to Saudi Arabia neither casts doubt on our commitment, nor compromises Israel's security.

It is my view that the agreements we have reached with the Government of Saudi Arabia take account of the concerns raised by the Congress. I am persuaded, as I believe the Congress will be, that the proposed Saudi air defense enhancement package makes an invaluable contribution to the national security interests of the United States, by improving both our strategic posture and the prospects for peace in the Middle East. I look forward to continuing to work with you toward these vital goals.

Sincerely,

RONALD REAGAN.

THE CASE FOR AWACS FROM THE FOXHOLE

Mr. WARNER. Mr. President, I support the President's proposed sale of a defense enhancement package, including the airborne warning and control system (AWACS) aircraft to Saudi Arabia.

America's longstanding commitment to protect Israeli independence requires

a balanced U.S. policy toward Israel and its moderate Arab neighbors.

Only if these moderate states are secure against outside threats and confident of U.S. reliability will they be willing to take the necessary risks to insure peace and stability in the Middle East.

The rejection of President Reagan's proposal to sell the Saudis AWACS, we are advised, will result in termination or phasing out of American AWACS. The Saudis are convinced they must have a surveillance capability of their own. If the United States does not sell Saudi Arabia AWACS, they will undoubtedly fill their military needs by dealing with countries who may be less concerned with Israel's welfare and less inclined to negotiate stringent controls like those the President will impose on the AWACS sale.

Further, America's Middle East current defense operations and contingency planning would be degraded. Our military would have no continuous access to surveillance information, no interface with this particular surveillance system, no training with the Saudi Air Force, and degraded timely warning so essential to emergency military action in that volatile area of the world.

Saudi Arabia is the key—and I stress key—to defense of the entire gulf against Soviet incursion. It is likewise critically important for effective defense against other, lesser magnitude threats to regional security.

Mr. President, I was a sailor, and I will always be a sailor. I was a marine, and will always be a marine. Consequently, when we debate issues concerning national defense, I tend to put myself beside the man in the foxhole and attempt to determine how it will affect him if Americans have to fight in the Middle East.

How will it affect him in flying an F-14 on a strike mission somewhere in the Arabian Sea?

How will it affect him jumping with the 82d Airborne to bolster the defense of a friendly ally in the Persian Gulf area?

How will it affect our servicemen if they lack the coverage provided by the AWACS in the Persian Gulf region?

As Gen. P. X. Kelly, Assistant Commandant of the U.S. Marine Corps and recent commander of the Rapid Deployment Joint Task Force has stated:

There is no question that if the United States is to deploy meaningful combat power to the Persian Gulf region under any scenario, it is absolutely essential that we have "free and willing" access to Saudi facilities and support infrastructure.

General Kelly testified on September 28, before the Armed Services Committee, that—

The most critical element for the deployment of any U.S. force from the RDF is to establish immediately an air superiority and air defense network.

The air defense enhancement package sale to Saudi Arabia will help us in precisely this manner. It will provide, in place, in Saudi Arabia, an effective, integrated air defense network, made up of U.S. supplied equipment and systems, all of which will be similar to and compatible with our own forces.

This Saudi air defense network will be operated and supported by Saudi military and U.S. military and contractor personnel who have been trained in U.S. procedures and who will, over time, have extensive experience in training and operating with U.S. military personnel and forces.

In other words, this sale will provide the ready nucleus of an air defense network, all of which will be able to interoperate—to work together in a coordinated, mutually supporting manner—with deploying U.S. forces.

If trouble surfaces in the gulf region, F-14's and other fighters from carrier task forces in the Arabian Sea could respond quickly and would be immediately effective in the air superiority role with this in-place air defense command, control and communications network. It would provide the immediate crisis response capability we need to be able to respond to an unforeseen crisis in the gulf region.

If this ready nucleus of an interoperable air defense network is not available in the area, it will mean that much more valuable strategic lift—a lift that is already critically short—and even more critical time, will have to be used to move such a network into the area. This sale forms the CORE of an in-place regional air defense network of direct benefit to U.S. forces.

We presently have inadequate facilities, maintenance equipment, spare parts, and munitions stocks located in the Southwest Asia/Persian Gulf region to support the exercise or deployment of any sizable U.S. forces. The Saudis would be far more able—and I am convinced far more willing—to provide material support for deployed U.S. forces if we were required to assist them in their defense or the defense of the region.

As I have already mentioned, it is absolutely essential for our Southwest Asia strategy that we have free and willing access to Saudi Arabian facilities and support infrastructure. However, such access will not guarantee our ability to deploy combat forces to the Persian Gulf region unless we are able to engage in adequate planning and preparation with the Saudis for the use of those facilities and infrastructure before we have to deploy. Without such planning and preparation, a deployment into the region in time of crisis would be extremely difficult, overly time consuming, and far less likely to succeed. It is true that we do not now have any formal access agreements with Saudi Arabia. It is more important, however, to have close working relationships to build upon.

No one can guarantee that selling the AWACS package to the Saudis will automatically and immediately result in the Saudis granting us formal access agreements and engaging in the planning and preparation we need. However, it is certain that they will be far less willing to cooperate if we reject this sale. It will only confirm in their eyes that we are something less than reliable as a security partner.

On the other hand, I am confident that if the sale is consummated, our security relationship with Saudi Arabia will grow closer, military cooperation with them on a whole range of issues will expand,

and the types of planning and preparation we need to insure an effective deployment of U.S. forces in a crisis will go forward.

In our extended debates, in my judgment, we tend to forget the soldier, sailor, or airman, or marine, who is today willing to give his life for our country, in any part of the world. They ask no questions, yet stand poised—and ready—whenever called upon. If we as a nation are forced to commit our forces to an area where these young Americans may be faced with combat, it is absolutely essential we provide them with the planning and equipment necessary to fight, to win, and to survive.

We owe them nothing less.

If we fail to do that, and if one life is lost, we, here in the Senate today, will bear the full responsibility of that loss.

The Constitution requires the President to formulate foreign policy with the advice and consent of the U.S. Senate on the ratification of treaties.

Congressional interference in foreign policy can be clumsy. It can generate considerable uncertainty among world leaders about U.S. commitment and the ability of the President to carry out foreign policy. This fact is acknowledged by parties on both sides of the question.

The Senate has a constitutional role, but where there is a basis for reasonable doubt about an issue, we have the obligation to resolve that doubt in favor of the President's position.

The administration's Middle East peace policy has always been based on the Camp David peace process in concert with quiet diplomatic efforts through which interested and concerned parties may be brought together.

These efforts have resulted in the recent commitments of France, Italy, and Britain to participate in a Middle East peacekeeping force—a requirement of the Camp David accord and an element of the administration's Middle East peace policy.

The September visits of Israeli Prime Minister Begin and Egypt's late President Sadat were also an important part of President Reagan's policy.

I take exception to opponents' charges that the President has done nothing to safeguard the controls of AWACS or the security of Israel.

Senator Nunn and I received helpful technical advice from the administration in the drafting of the Nunn-Warner resolution.

That resolution was the catalyst in President Reagan sending to the Senate majority and minority leaders, the distinguished Senator from Georgia (Mr. Nunn) and myself a letter today setting forth assurances regarding the security and operation of AWACS in Saudi Arabia.

At least 12 Senators counseled with the administration in the preparation of this letter. I commend them for their initiatives, for the strength of the final draft reflects their wisdom. This process is a fine example of the interworkings of advise and consent.

This letter establishes the following assurances:

That a detailed plan for the security of AWACS equipment, technology, information, and supporting documentation

has been agreed to by the United States and Saudi Arabia, and that that plan is in place.

That the security provisions of the agreement are no less stringent than measures employed by the United States for protection and control of like U.S. equipment operating outside the continental United States.

That AWACS will be operated solely within the boundaries of Saudi Arabia, except with the prior, explicit mutual consent of the United States and Saudi Government, solely for defensive purposes defined by U.S. law.

That the United States has the right of continuous onsite inspection and surveillance by U.S. personnel of operational security arrangements for all equipment during the useful life of the AWACS, and that these security arrangements will be supplemented by additional U.S. personnel if it is deemed necessary by the United States and Saudi Arabia.

That Saudi Arabia will not permit citizens of third nations either to perform maintenance on the AWACS or to modify any such equipment without prior, explicit mutual consent of the two governments.

That computer software, as designated by the U.S. Government, will remain the property of the U.S. Government.

That the Saudis will share continuously and completely the information acquired from use of AWACS.

That the Saudis will not share access to AWACS equipment, technology, documentation, or any information developed from the AWACS equipment or technology with any nation other than the United States without prior, explicit consent of the U.S. Government.

That adequate and effective procedures requiring the screening and security clearance of citizens of Saudi Arabia having access to AWACS will be established.

That only cleared Saudi citizens and cleared U.S. nationals will have access to AWACS equipment, technology or documentation, or information derived from AWACS.

That agreements concerning organizational command and control structure for operation of AWACS are of such a nature to guarantee the commitments made in the sales agreement are honored; and

That the sale contributes directly to the stability and security of the area, enhances the atmosphere and prospects for progress toward peace, and that initiatives toward the peaceful resolution of disputes in the region have either been successfully completed or that significant progress toward that goal has been accomplished with the substantial assistance of Saudi Arabia.

With these assurances, I am convinced the proposed AWACS sale to Saudi Arabia will strengthen our military relationship with the Saudis, and it is in the long-term national security interests of Israel.

I respect the views of the opponents of the AWACS sale but I ask them to consider U.S. national interest in the Arabian Sea region; the military requirements of protecting and defending those interests; the national security interests of Israel; and the overall ques-

tion of America's ability to meet its commitments and pursue its foreign policy.

In the end, the Saudis will purchase a surveillance system. The question is, "from whom?" I want to say to the American in the foxhole—it comes from your Nation to protect you.

Mr. President, I close again in joining my distinguished colleague from Georgia in saying that if any Senator has any concern about voting in favor of this, then I suggest that they think in terms of the young soldier, sailor, marine, or airman that this Nation may some day have to dispatch to the Middle East to fulfill commitments made by two Presidents. That individual will expect—he will not ask, he will expect—that the United States of America has given him every protection to which he is entitled if he is prepared to lay down his life for this country.

With the installation of this air warning system, we have provided our service personnel with that essential defensive mechanism for any operation in the military today; namely, an air umbrella of surveillance.

So I close by paying tribute to my colleagues who support this and a tribute to the man in the foxhole that some day may benefit.

Mr. BIDEN. Will the Senator yield?

Mr. WARNER. I yield to the Senator on his time.

Mr. BIDEN. The question will be on my time.

First, do we not already have that in place right now? Second, is the AWACS we are selling to Saudis not going to be equipped to be integrated with our Armed Forces?

Mr. WARNER. The AWACS can be equipped to be operable with any of our defense systems in place today or which may be put in place as part of the RDF. The Senator is correct, the AWACS operating on the Arabian Peninsula today does service our military units, but it has been made clear to us unequivocally by the President that that situation cannot be expected to go on into the future and, in all likelihood, the Saudis would seek to get such a system from the British or the French.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. PERCY. Mr. President, I wish to commend very much indeed the distinguished Senator from Virginia who has been so responsible for the letter the President of the United States sent to the Senate today.

Mr. President, I am happy to yield to the Senator from Rhode Island.

Mr. PELL. Mr. President, I yield 3 minutes to the Senator from New Jersey.

Mr. BRADLEY. Mr. President, to advance U.S. economic, military and political interests in this rapidly changing world, our foreign policy must be guided by a strategic framework with realistic and well-defined objectives—immediate and long term. We need such a framework against which to test each foreign policy action.

Mr. President, this arms sale is an action in search of a framework. No clear and sound strategy has been offered by the administration to support this sale.

The only explanation we have been offered is that the arms sale would help to build some vague strategic consensus among U.S. friends in the Middle East. This is simply an assertion, not a strategy. Before taking action on this proposed arms sale, Congress needs to know much more about the assumptions and analyses underlying this so-called consensus.

I believe the paramount U.S. interests in the Middle East are:

First. Peace and stability in the region.

Second. Strong U.S. allies in the region who are able to help in countering any Soviet aggression and influence there.

Third. A continuing flow of oil from the region to the industrial world while we reduce our dependence on insecure sources of oil in the region.

I oppose the sale of AWACS planes and F-15 enhancement equipment to Saudi Arabia because I think, on balance, the sale would not promote these primary U.S. interests and may even put them in jeopardy.

Mr. President, it has been argued that this proposed sale may be ill-advised but that the Senate must support the President in this matter because rejection of his request would undermine his credibility.

The credibility of the American President is important, but even more important is the soundness of U.S. foreign policy. A weapons policy is not a foreign policy. Besides we all know that the formulation of foreign policy is not done only by the President. Under the Constitution Congress has the responsibility to check and balance the President's judgments, and to provide its advice and consent on matters of foreign affairs. The Senate has offered its advice and consent on foreign policy matters throughout our history including on the Jay Treaty of 1795, the Clayton-Bulwer Treaty of 1850, the Treaty of Versailles of 1920, the Bretton-Woods Agreement of 1945, the NATO Treaty of 1949, and more recently the War Powers Act of 1973, the Panama Canal Treaty of 1978 and in debate prior to withdrawal of the SALT II treaty from Senate consideration in 1979. It is not the responsibility of the Congress to make the President credible, it is our responsibility to make sure that U.S. policy is wise.

Above all the United States wants peace and stability in the Middle East. Placing such sophisticated technology in Saudi hands will upset this balance in the area. Arms, begot more arms: Israel will be forced to build an air defense on a new front, and its Arab adversaries may feel bound to respond in kind. The new round of arms escalations will inject more distrust into this tense region.

An arms escalation also could disrupt Saudi society. The AWACS package could trigger more weapons sales from the West to Saudi Arabia. West Germany can be expected to sell 300 top-of-the-line Leopard 11 tanks and Great Britain hopes to sell 200 Tornado jets. And the Saudi Government almost surely will request an AWACS enhancement package.

Saudi Arabia's defense budget is twice as large as Egypt's and almost as large as Great Britain's. All this new arma-

ment will flow into a country that has already bought over \$22 billion worth of weapons for a total armed force estimated at 61,000 men.

There has been no attempt to assess whether Saudi military personnel will be able to handle all this sophisticated weaponry, and there clearly has been no analysis of how all the hardware fits into Saudi defense strategy.

A military defense combines people, strategy, and hardware, and should be put together in that order. The strength of a country's troops should in part define its strategy. The strategy, in turn, should determine the hardware. It does not seem that this has been done properly in the case of Saudi Arabia, by either the Saudis or us.

We simply are supplying arms to symbolize our commitment and to implement a purported strategy that only states without analysis that the AWACS system will help defend the Persian Gulf.

Moreover, if the Saudis have AWACS planes, they will come under pressure by Arab militants and frontline states to use these planes against Israel in war and to watch Israeli air space in peace. The Saudis have been able to resist pressures to join past battles against Israel because they were vulnerable and had little to contribute. Saudi ownership of AWACS and enhanced F-15 jets will change that. The Saudis will not be able to plead weakness, or that they lack full control over the AWACS.

Advocates for the sale to the Saudis justify it on grounds of friendship and the need to assure security of the oil fields. But is it really friendly to make the sale, and how secure would it make the oilfields?

AWACS do offer the Saudis greater visibility and early warning on low-flying aircraft veering toward them, though limits on the performance of 5 AWACS makes the surveillance far from foolproof. But U.S.-owned and controlled AWACS would do the same or better job, and are now doing it, without incurring the risks of taking the weapons out of American hands.

Transferring control of the AWACS to the Saudis can be construed as an American step back from the defense of Saudi Arabia. The real deterrent to the Soviets is not the AWACS, but a firm U.S. commitment to protect Saudi Arabia. Giving the Saudis full control of the AWACS appears to reduce the U.S. commitment. This should not be comforting to the Saudis.

Even more potentially damaging to Saudi security is the illusion this sale fosters that Saudi Arabia can successfully defend itself. The reality is that Saudi security depends in large part on our willingness to keep their principal adversaries at bay. The illusion that these weapons substitute for U.S. deterrence and assistance is dangerous for both them and us. Reinforcing it not only fails to serve us or Saudi interests—it could well end up actually subverting them.

The AWACS we sell the Saudis will be stripped of some highly sensitive U.S. technology, mostly in the area of data link, communications and countermeas-

ures. This equipment enhances, improves and protects AWACS. Stripped down, the AWACS-F-15 system will be impaired in its ability to repel an attack. If the United States kept control of the AWACS, this important equipment could be retained as well as our sophisticated communications and command control system linked to our carrier force in the gulf. Then Saudi security would be strengthened at the same time that U.S. secrets would be better protected. Giving the Saudis less defense at higher risk to our weapons systems is not friendly, but foolhardy.

Furthermore, no one argues that Saudi F-15's and Saudi AWACS will sufficiently deter Soviet aggression. The United States will be needed for that so why do not we and the Saudis admit it. By insisting that the United States must not own or jointly command the AWACS the Saudis are simply making their own oilfields less secure.

Finally, if the Soviets and their clients wish to destabilize Saudi Arabia, AWACS and AIM-9L's may do more to attract than repel their aggression. These United States type weapons would make a very nice prize for the Soviets, one the Soviets would welcome as a gift from a grateful Soviet client.

In conclusion, Saudi-owned AWACS would make the kingdom more, not less, vulnerable to the forces that seek to dislodge it.

American and allied oil requirements are often cited as another critical U.S. interest in the Middle East. Many people believe that our energy security depends on assuring access to Persian Gulf oil by military means. This is simply not true. In most situations involving oil supply disruptions the United States would neither want nor be asked to intervene militarily. Indeed, almost the only plausible scenario for direct U.S. military intervention would be a Soviet invasion. Yet internal or regional conflict is more likely to disrupt the flow of oil than a Soviet attack. And AWACS and F-15's will not significantly enhance Saudi Arabia's ability to suppress a rebellion either at home or in a neighboring state.

This means that from the standpoint of enhancing our energy security we should concentrate on measures to reduce our vulnerability to potential oil supply disruptions. Military intervention must be our last, rather than our first recourse.

Since arriving in the Senate, I have tried to get our strategic petroleum reserve filled as fast as possible. An ample SPR is the best insurance we have against the large economic losses an oil supply disruption would cause. I commend this administration for moving to rapidly fill the SPR and I hope they will continue to keep their eyes on our stockpiling needs.

But stockpiling is only one step in building our energy security. We need additional measures. We also need a plan for dealing with oil supply disruptions domestically. We must put in place now mechanisms that will allow available oil supplies to be distributed quickly and efficiently with minimum disruption and damage to our economy.

We must cushion the blow—not by controlling oil prices and allocating oil supplies, but by providing financial assistance for essential public services to those in our society least able to protect themselves from the effects of higher oil prices.

Having these programs in place will not only reduce the domestic economic costs of a supply disruption—they will also provide an essential complement to a military response should circumstances compel such action on our part.

Just as approving this sale will not promote our energy security, so disproving it will not put that security in jeopardy. The pervasive concern that the Saudis will retaliate by cutting production is misplaced. Saudi production decisions are determined by their own political and economic needs. They have vast oil resources which some experts estimate as high as 750 billion barrels. The kingdom's economic viability both in the short- and long-term depends on their sustaining a world market for this oil. If the price is too high, that market will disappear.

At the same time, there may be compelling domestic political reasons for them to reduce production. If the Saudis cut back, it will be because it is in their national interest to do so, not because they want to punish America for doing what is in ours. And in the final analysis the only terms on which good United States-Saudi relations can endure are mutual respect for each country's vital national interests.

Let me say, I believe the Saudis are our friends and we have every reason to wish to maintain that friendship. In the broad scheme of things, the Saudis are pro-West, U.S. oriented, and share important areas of economic interests with us. They have also been helpful to the United States by increasing their oil production from time to time at U.S. urging. Nonetheless Saudi behavior often complicates our efforts to assist the peace process and deter aggression in the region.

The Saudis agree in principle that we share a common interest in defending the Persian Gulf. But they reject the establishment of bases in the region for U.S. troops, although these troops, in an extended deployment, would be impaired without bases. They reject proposals to create a large U.S. military presence in the region, upbraiding tiny Oman for offering bases and other support to the United States.

They applaud the PLO and finance some of its terrorism. They led the move to sever ties with Egypt and bring pressure on its economy after Sadat signed the Camp David accords.

And they insist repeatedly with an inexplicable fervor that Israel, not the Soviet Union, is the major menace to the Middle East.

Saudi behavior does not stem from hostility to the United States, but from its own political constraints. We must understand this, but we cannot allow it to impair our judgment. The danger to the United States is that we will permit Saudi constraints to determine our foreign policy. The danger is that we will allow Saudi constraints to set the

terms of United States-Saudi cooperation.

We are beginning to allow a litmus test psychology to govern our Middle East policy. The Saudis pose a litmus test of friendship and we strain to meet it, for example, on the F-15 sale and now on the AWACS sale. Instead of thinking through goals and setting our terms of friendship, we are tempted to take the easier route of adopting those laid down by the Saudis. And we justify doing this by saying we have a vital stake in the security of Saudi Arabia.

Precisely because our stake is so vital we cannot permit the Saudis to set our agenda by administering litmus tests. The problem is that the Saudis have their own litmus test to meet, tests imposed by anti-Israeli militants, Islamic fundamentalists, dissatisfied tribal leaders, and assorted Arab leftists. Their test to us derive from the tests given to them. The result is that our policy is shaped by assorted Middle Eastern militants and fanatics two steps removed from our own judgment, and I might say from that of the Saudis' better judgment too. It is time we stopped taking tests, and graduated to a mature relationship with the Saudis. In a mature relationship, you can say "no" without fearing the loss of friendship.

It is difficult for the Saudis to be a U.S. partner in the full sense, until they are able to take risks for peace. They must lead Arab consensus—not be lagging in the rear. This can happen only when Saudi rulers feel free of internal and regional threats, which, it appears, is not imminent. Selling these AWACS and advanced missiles will not hasten that day, rather, the attending complications may insure that it arrives much later.

And, all the talk about the importance of Saudi friendship seems to have made us lose sight of the investment we have in our Israeli friendship. Perhaps as in life, in politics too, we take those we know to be loyal most for granted. Israel has been, and is able to continue to be, a full U.S. partner and a valuable strategic asset.

Israel is a thriving democracy, is unquestionably stable, is unabashedly pro-West, particularly pro-United States, takes pride in its superior military and intelligence capabilities and is ready to share those capabilities with the United States for joint security purposes without reservation. Israel will never succumb to the hypocrisy of Third World resolutions that denounce U.S. actions as imperialist or label our self-defense in international skies "air piracy." Israel will not let us down. We could not recover from the loss to our strength in the Middle East if we let Israel down.

Progress toward peace requires that Israel retain confidence in its security so that it will not renege on its agreement to give up important air bases in the Sinai, and to modify its political control over the West Bank territories. The United States should therefore be bolstering Israel's confidence. Yet the proposed sale does everything to decrease it. The sale will create a new balance intensifying Israel's vulnerability without

commensurate reduction in Saudi Arabia's. The sale could thus unravel the careful fabric of peace which Israel, Egypt, and the United States have sacrificed so much to weave.

Such shambles would comfort only America's enemies, just as compromising Israel's security would strengthen only those of Israel's enemies who reject peace.

Now let us look at whether this sale is a key ingredient in the President's plan for a strategic consensus in the Mideast. The so-called strategic consensus is that the Soviets are the major threat to nations in the Middle East. I agree that the Soviets are a great menace, a greater menace to friendly Arab countries than is Israel, and I am sure the President agrees with me. But I am not sure the Saudis agree. As oil Minister Yamani told an American audience in no uncertain terms: "There are only two threats in this world: international communism and Israel * * * the second is far more tangible and more in evidence than the first one, and an actual danger is obviously worse than a potential danger." This was said to Americans while Soviet tanks rumbled into Afghanistan.

Even if the President can persuade the Saudis to embrace the "strategic consensus" in principle, he must explain to Congress and the American people what role he expects the Saudis to play in carrying it out. Do we expect Saudi Arabia to become a regional pillar of stability, or a U.S. surrogate, like Iran? Do we expect the Saudis, with their new AWACS and F-15's, to police the Persian Gulf? Secretary Weinberger seems to think so. He told the Senate Armed Services Committee that the AWACS sale would make Saudi Arabia, "an anchor of stability within the region * * * and a bulwark against challenges from outside the region." But AWACS will not protect against terrorist sabotage and overland attack. Did we learn nothing from Iran?

It is time to adopt a realistic Middle East strategy, a strategy based on a clear view of what we want, a clear statement of where we stand, and a clear understanding of the real possibilities for, and the equally real limitations of, defending the Middle East. Most important, we must not permit the threats or promises of an inherently weak military power to persuade us either to compromise our interests in the region or to jeopardize Israel's ability to protect its borders. Instead, we should define the conditions for security cooperation with the Saudis in terms of our common defense requirements. We should at minimum insist that the Saudis cooperate in getting for our forces the regional bases they need to carry out a successful defense of Saudi Arabia and neighboring friendly nations, and that they do not subvert but rather assist efforts to create peace between Arabs and Israelis.

Finding the right strategy for the Middle East is hard; implementing it is even harder. But muddling in the Middle East without a strategy, or yielding to one that is easy, but wrong, will only make matters worse. The slogan of "strategic consensus" is not a strategy.

To sum up, U.S. national interests would not be well served and could be frustrated by the sale of AWACS and F-15 enhancement equipment to Saudi Arabia. It would offer no advantage, and many disadvantages, over the present situation of U.S.-controlled AWACS in Saudi Arabia.

In particular, it would reduce the security of the oilfields and increase regional tensions by spurring an arms race. This, in turn, would expose both Saudi Arabia and Israel to heightened dangers and could fuel their latent hostility toward each other. Contrary to the President's claim, the sale would not foster peace and stability in the region and could well reverse the progress we have already made.

At best, the sale will retard the pace of compliance with the Camp David accord. At worst it could nullify that agreement and shatter all prospects of a peaceful settlement. Once this happened, new opportunities for Soviet adventurism would be created. Yet the weapons we would have provided the Saudis would be inadequate to prevent Soviet success.

The sale would contribute little to our prime energy security objective of reducing our vulnerability to insecure sources of foreign oil and it would not guarantee Saudi production levels above those in Saudi long-term national interest. AWACS cannot deliver Middle East oil and cannot cushion our economy against oil shocks. To the extent we would look to AWACS to protecting our oil supplies, instead of devising measures to reduce our vulnerability to oil supply disruption, the sale of AWACS would impair our energy security.

Finally, it would hinder efforts we must make to build a realistic strategy for our Middle East policy. The sale is premised on an unspecified strategy, based on unknown assumptions with unpredictable consequences. For all these reasons I must oppose the sale.

Mr. PERCY. Mr. President, I am happy to yield 5 minutes to our distinguished colleague from Rhode Island.

Mr. CHAFEE. Mr. President, I thank the chairman of the Foreign Relations Committee.

Mr. President, some of the speakers today have complained about the administration's handling of this sale: "Why wasn't this done? Why wasn't that done? Why weren't we consulted?" And on it goes.

Maybe things should have been done differently, Mr. President. But it seems to me the important point is: Where are we now? What should we do now?

Let us not argue about what should have taken place. Where do we go from here?

There are two overriding considerations that should govern our decision, in my estimation. The first is our own security interest in the Middle East and in the Persian Gulf area. The second is our commitment to the advancement of the cause of peace in the region.

Mr. President, four Presidents of both political parties have repeatedly stated that the Persian Gulf area is vital to American national security and must not be controlled by nations whose in-

terests are opposed to ours. I do not think any American can argue with that. The distinguished senior Senator from Georgia spoke eloquently on that a few minutes ago.

If we are to be prepared to assert our power in the Persian Gulf area, should it be required, we are going to need every bit of help that we can garner. It is essential that we operate as closely as possible with those nations in the region that have indicated they wish to make common cause with us. This, of course, includes Saudi Arabia. To operate in the area and to exclude Saudi Arabia is to exclude the most important nation bordering the Persian Gulf.

For our policy to succeed, we must supply those nations with such arms and equipment that we believe are necessary to their defense and which they can reasonably use efficiently. We cannot be in the position of attempting to shoulder all the burden ourselves or to go it alone. We cannot do that. We have to have those nations that we are supporting assume responsibilities and duties in order to assist us in our common goal.

To deny such equipment as the AWACS or the enhancement package to Saudi Arabia can only lead to the unravelling of that mutual respect and cooperation which is absolutely necessary if we are to be prepared jointly to meet potential foes.

The second reason it is extremely important for the best interest of our Nation that this sale be approved is to advance our goal of a lasting peace in the Middle East. In order to do that, we have to be a dependable and steadfast ally that understands the fears, the desires, and the problems of the different nations in the area which are essential parties to any permanent peace. Obviously, again, that includes Saudi Arabia.

The Saudis sit atop rich natural resources, resources which are important to this Nation and of even greater importance to our allies in Europe and Japan. The production of these resources could be endangered by attacks from a number of potentially threatening countries. Faced with this threat, Saudi Arabia has turned to its long-time friend, the United States, to purchase limited amounts of equipment in order to defend itself.

The air defense package did not come from the air. It was not just conceived out of nothing. It came about through American advice and American recommendations.

Our military experts have stated that they believe the package of equipment in its present form provides Saudi Arabia with the needed air defense capability but does not constitute an offensive threat to other states in the area. The fact that our own AWACS aircraft have been in Saudi Arabia for over a year, performing the early warning task and contributing to the security of Saudi Arabia, demonstrates the importance that we attach to the stationing of these aircraft in that country.

Two principal objections to the sale have been raised. First, a fear that sophisticated U.S. equipment might fall into Soviet hands. While such is always

a possibility, it is important to bear in mind that the AWACS being sold to the Saudis will not include all of our latest technology. Of equal importance is the fact that this AWACS system will not be fully in place until 6 years from now. Should security conditions in the meantime become unacceptable, we could refuse delivery.

There will be a substantial American presence in Saudi Arabia servicing these aircraft for some years after the sale. In addition, the Saudis have agreed to strict security protection for these weapons. Accessibility will only be available to cleared United States and Saudi nationals. Proceeding with the sale now is an entirely acceptable risk in my judgment.

The second principal objection to the sale is that it will constitute a threat to Israel. Israel has at least 600 first-line combat aircraft in the highest state of readiness, with pilots equal to the best in the world. Israel's military dominance in the area is not going to be altered by this sale. If it were, I would not support it.

Furthermore, the United States has reiterated its commitment to the security of Israel and President Reagan has stated that he will insure that Israel maintains its qualitative military edge. In furtherance of this objective, joint steps are already underway to improve United States-Israeli military cooperation. These actions have my full support.

In conclusion, I recognize that this vote has presented a difficult choice for many Senators. Still, when all is said and done, I believe that it is essential to our own national interest and to the interest of peace in the Middle East that we proceed with this sale. While this undertaking is not without elements of risk—elements which have been pointed out in this debate and which I have examined most carefully—I firmly believe that the risks are worth taking. I believe just as firmly that the risks of not proceeding present a far greater danger to our own interests and security.

Mr. President, Andre Malraux once quoted Charles de Gaulle as saying that "one does not go to the edge of the Rubicon to fish."

Mr. President, we have arrived at the edge of the river, let us plunge on. I urge rejection of the resolution of disapproval.

Mr. PELL. Mr. President, I yield 3 minutes to the senior Senator from Minnesota.

The PRESIDING OFFICER. The senior Senator from Minnesota is recognized.

Mr. DURENBERGER. Mr. President, in the 3 years I have been in the U.S. Senate I have not faced a more controversial issue than the sale of AWACS and other material to Saudi Arabia. I find that to be a remarkable statement, considering the historical events, in both domestic and foreign policy, that have occurred in the past 3 years.

Good men and women on both sides of the AWACS issue have been accused of pandering to the "Jewish lobby" or to the "oil lobby." Opponents of the sale, especially on the Republican side of the

aisle, have been called disloyal to the President, while some proponents are being branded "merchants of war." Will rejection of this sale damage the prestige and influence of the Presidency and the United States abroad, or will it reaffirm an appropriate role for Congress in determining our Nation's foreign policy?

These are the epithets and questions we hear every day. They come from the media and constituents and, sadly, from the administration and Members of Congress. They are the common points of discussion on this issue, but for the most part, they are as inappropriate to the sale of AWACS as an argument over unisex toilets is to equal rights for women. They are smokescreens that camouflage the real issue.

The real issue, here, is this: What is best for the United States? What will best achieve our country's goals and assure our Nation's security? That must be the bottom line in any decision of this magnitude. We must cut through the smokescreen—and I hope what I am about to say today will help clear the air—and get to that linchpin issue of this debate.

Mr. President, I oppose this sale because I do not believe that it is in our country's best interests. I am firmly convinced that the proposed arms sale is an incorrect approach to our goals and our security interests in the Middle East. It is incorrect because it continues our excessive reliance upon arms sales and because it substitutes a fragmentary action for an overall policy.

Having reached that judgment, I am confronted with the difficult task of defining my role, and the role of Congress, in opposing this sale. The Constitution and precedent are imprecise guides. There can be no mistaking the intention of the Arms Export Control Act, however. That legislation specifically requires each Member of the Senate and the House to exercise his or her judgment and vote according to the dictates of his or her conscience on arms sales.

The framers of the Constitution wisely understood that the country they were founding should be—must be—a nation of laws, not of persons. Time and again that principle has been tested; in each case it has withstood the test of time.

The unique separation of powers among the branches of Government has served our country well. The Arms Export Control Act is an extension of that separation of powers; it is a check between two branches of the National Government in a sensitive and critical policy area, the sales of arms to other countries.

This obligation of Congress must not be confused with loyalty to the President. Where there is doubt among a substantial number of Congress—doubt which was reflected in the overwhelming House vote against this sale and the doubt that is reflected in the Senate—that doubt should be taken as a warning rather than an obstacle. If the doubt can be overcome in fair and open debate, then the Constitution has served its purpose by promoting support, and our foreign policy is the stronger for it.

If the doubt cannot be overcome, then the policy is by definition open to question and is, therefore, the weaker for it.

Loyalty to the President does not mean rubber stamping his initiatives. Instead, it means that we work with the President, offering suggestions and raising questions where appropriate, to improve his programs and contribute to making him the best President ever.

That point has been clearly demonstrated in the domestic policy issues that have come before Congress this year. I can think of several times this year where the politically expedient thing to do would have been to vote against the administration. But many of us have faced up to the difficult job of turning this Government around. Certainly, we have not been a rubber stamp. I do not think the American public wants or would accept that from their elected Members of Congress.

AMERICAN INTERESTS AND THE AWACS SALE

I am confident President Reagan will succeed in the necessary task of defining an overall policy for the Middle East. More than that, his strong and consistent leadership will continue to send the message to the entire world that U.S. policy will not be controlled by spur-of-the-moment decisions.

In fact, I think that win or lose on this vote in the Senate, the President's courage already has been demonstrated by his personal commitment to the sale. That is an important signal, one that stands apart from our decision in the Senate.

I believe I can contribute to the success of this administration by opposing this sale. My hope is that defeat of the AWACS sale at this time will encourage the President to go back to the drawing board for a comprehensive Mideast policy—a policy that may include the sale of AWACS to Saudi Arabia, but is not defined by arms sales.

Before we proceed with the largest arms transfer in our history, we must question the wisdom of promoting arms sales for the purpose of foreign policy. It is necessary to raise this question early in a new administration. President Reagan has raised it with an \$8.5 billion sale. We in Congress must decide it. The House has already spoken against it, and I believe the Senate should do the same.

A sale of this magnitude in this region explicitly endorses the concept of arms sales as a tool of foreign policy. And, it lays the foundation for predictable further endorsements. With a sale at this level, how do we say "no" to another country wanting to buy half as much—especially if that country prefaces its demand as an offset to the sale to the Saudis?

Arms sales first became a prominent instrument of our policy under the "Nixon doctrine." As we all remember, President Nixon chose to draw down this country's direct role in world affairs following the debacle of Vietnam. Just one reminder of that debacle is the cache of weapons we left behind that is being used against us around the world.

President Nixon sought to bolster Third World allies who would do our work for us. And the principal means of

bolstering such allies was through arms transfers. The example that comes first to mind, of course, is Iran. A country that was to have safeguarded American issues by using American arms is now torn by civil war—a war prompted, in part, by resentment over the purchase of American weaponry.

Perhaps the "Nixon doctrine" was useful to administrations limited by a nation reacting to Vietnam. And certainly the Carter-Mondale administration handcuffed its own foreign policy by its inability to stand by a commitment, by its indecisiveness and vacillation.

All that was settled in the 1980 election. That election should have sent a message that this country is now ready, once again, to assume strong and consistent leadership. We are no longer handcuffed by guilt or by vacillation. Under President Reagan, we are again ready to thoroughly, firmly, and consistently engage in international politics.

And, Mr. President, let me point out that if arms sales do not make sense as a general foreign policy rule, they make even less sense when applied to Saudi Arabia. Saudi Arabia, by some estimates, ranks sixth in terms of its total military expenditures. It spends more than many larger NATO allies, according to the International Institute for Strategic Studies. Yet we propose to undertake the largest arms sale in American history to this country.

Any arms sale to any country in such a region as the Middle East must be scrutinized closely, for the burden of proof is on those who assert that arms sales are stabilizing rather than potentially destabilizing. The evidence provided by the Israeli diversion of American arms or by the Iranian use of American arms against American interests makes it difficult to suggest that arms sales promote our own national interest.

Mr. President, I do not believe that arms sales to Third World countries as a means of achieving regional stability is a policy in our national security interests. I believe that Sam Cummings, a well-known private arms broker, was correct as quoted in the Washington Post magazine of October 18, 1981:

It's not lawnmowers or plowshares I'm selling—it's swords, and you have to deal with either the minister or the head of state because they're the people who control the material. And it controls them. . . . These political leaders, they come and go.

Following from this first point—the role of arms sales in foreign policy—is my second concern with this proposal. We have been told that this sale is part of—indeed, it is the "cornerstone" of—a new and fresh approach to our policy in the Middle East. So far, we have seen numerous cornerstones but few buildings.

Secretary of State Haig told the Foreign Relations Committee on October 1, 1981, that the real issue is:

Whether the United States will be able to pursue a coherent policy in a region where the Arab-Israeli dispute divides our closest friends and where the Soviets and their proxies threaten our vital interests. . . . If our friends are more secure, they will be able to take risks for peace. If there is progress to-

ward peace, the cooperation that is vital for security will be easier.

I think that Secretary Haig's assessment is accurate. But his conclusion is faulty. The solution is not the largest arms sale in the history of our country. The solution lies in an examination of at least part of the cause of the tension in this region of the world.

What the Arab world is really looking for is security from the fear that America is always going to back Israel, right or wrong. You do not deal with that security with the largest arms transfer in our country's history.

You deal with it by promoting a consistent and coherent policy that bolsters our friends and remains consistent with past and current realities. And the undeniable reality is that Saudi Arabia has called for a jihad against Israel; it has systematically pressured countries such as Oman whenever they have indicated a willingness to allow U.S. bases in the region; it has isolated Egypt because of President Sadat's courage in promoting the Camp David accords; it has repeatedly stated that its real enemy is not the Soviet Union, but Israel; it has condemned our attempted rescue of the Americans held hostage in Iran; and, it has funded the Palestinian Liberation Organization, a group which fosters the aims of such people as Qadhafi of Libya.

In short, Saudi Arabia has done nearly everything imaginable to work against our interests in a "strategic consensus" and it has done nearly everything imaginable to derail the Camp David accords. And we do nothing to promote regional peace if we substitute arms sales for progress on the real issue—the fate of the Palestinians. Arms sales will not make the Palestinian issue go away. But until that issue is settled, we have little prospect for a stable peace.

A coherent U.S. policy tells the Arab world that they must deal with security in the same way that a great Arab leader, Anwar Sadat, did. As the President has correctly pointed out, Sadat took the lead in wars against Israel until he realized, as he stated at the end of the Camp David summit, that the United States will guarantee Arab friendship by working for a comprehensive, just, and lasting peace in the Middle East. As President Sadat stated on September 5, 1978:

We cannot afford to fail the hopes of nations all over the world. No one has the right to block the road to peace. This is no time for maneuvers and wornout ideas. It is time for magnanimity and reason.

So far, these thoughts have not been incorporated into our policy for the Middle East. This arms sale might make sense if it were part of an overall foreign policy, a policy which accounted for the reality of Middle East regional politics as well as the reality of a Soviet threat. But, we have no statement of policy which links internal, regional, and global concerns in the Middle East and the Persian Gulf. We have only a Jimmy Carter quick-fix masquerading as the policy of a new President. An arms sale does not constitute a policy. And a reunion of past and present administration officials does not constitute justification. While a picture of 18 supporters

of the AWACS sale printed on the front page of newspapers may be good public relations, it is not necessarily good public policy.

We do not need the "maneuvers and wornout ideas" which President Sadat cautioned us against. We do not need a proposal which will commit this administration to old doctrines on arms sales but which fails to address the real issues. And we must recognize that the fear of the Arab States about Israel intentions cannot be met by this sale. We must pursue instead a comprehensive and overall strategy that fully links this country into the quest for a just and lasting peace and, therefore, for regional security.

THE MYTHS OF THE AWACS SALE

Mr. President, I have given my arguments against the sale. Let me now turn to the smokescreens I mentioned earlier. First, of course, is the myth that this arms sale can either relieve the necessity for or lighten the burden of the American presence in the Persian Gulf.

Nothing can replace the necessity of American presence in areas of American national interest. Yet, the proposal to turn over to Saudi control a mission now being carried out by four American-owned AWACS aircraft would do just that, in a faint echo of the Nixon doctrine. The real deterrent to an attack on Saudi oilfields is American power and American will, a point recently acknowledged by President Reagan's former Ambassador to Saudi Arabia, Robert Neumann, in a Los Angeles Times editorial. Mr. Neumann notes that even if the Saudi military is fully upgraded, it will be insufficient to guard against a medium-level air threat, and that defense of the oilfields requires the presence of "complementary forces." And, as Mr. Neumann notes, those complementary forces are our own—the naval task force now cruising the Persian Gulf and the Indian Ocean.

Given this reality, it makes little sense to degrade our forces, but the proposed arms transfer would have exactly that effect. In place of the four American-owned AWACS aircraft now in Saudi Arabia—planes which are equipped with the latest and most sophisticated technology—we would substitute five Saudi-owned AWACS which lack such basics as jam-proof communications. Yet it will continue to be the mission of those aircraft to provide surveillance both for Saudi oilfields and for our fleet. In other words, our forces—forces which are vital to deterrence of an attack—would lose rather than gain capability.

But there is another facet to United States-Saudi relations which has been overlooked. That facet is the ongoing diplomatic, cultural, and economic relations between our two countries. It is in our best interests and in the interests of a country like Saudi Arabia to lay a foundation of interdependence. Our commitment to Saudi Arabia—a commitment now backed up by our fleet—becomes meaningful, credible, and rewarding only when it is based on the fullest possible ties, and not simply on the fact of Saudi oil reserves.

To look upon the United States-Saudi relationship as one characterized only by guns and oil is shortsighted. It deprecates the Saudis, and it can cause resentment against us in the long term. We have unfortunately overlooked other Saudi contributions to regional stability in this debate. Too little has been made of their diplomatic contributions to the Lebanon cease-fire. And too little has been made of the future, a future which should see broader ties between our two countries.

The second smokescreen in this issue is oil. Many people claim that the Saudis have adopted lower oil prices than other OPEC nations because they have our best interests at heart. And they fear that a defeat of AWACS will mean higher prices. In fact, Saudi oil prices are dictated by Saudi, not American, national interests.

We have an administration that does not believe in conservation, does not believe Saudi Arabia controls the marketplace, and does not believe that we should be encouraging energy alternatives. The President believes in an energy marketplace that is rational; it is no wonder he says we had better be nice to the Saudis.

But the fact of the matter is that there is currently no "marketplace" for energy resources. This should be apparent to anyone who can read the headlines. Later this month, OPEC is expected to get together and agree on a unified price of \$34 per barrel for crude oil. This decision will be a victory for Saudi Arabia. It is a victory for the long-term interests of Saudi Arabia. There are some who believe that conservation and the resistance to higher prices have put a burden on the world oil market and that OPEC is in disarray—about to go out of business. Nothing could be further from the truth.

There is a difference of interests within OPEC. The Saudis have a lot of oil—enough oil to produce at current levels well into the next century. They have a long-term interest in our dependence on their oil reserves. Conservation and conversion to renewables are a direct threat to their future. Prices which are so high that consumption is reduced also threaten their long-term interest. Other OPEC nations have smaller reserves. They want all the revenue they can get and they want it today because they fear we make take control of our own future. High prices now are in their interest. Our gradual conversion is no threat to them, because their wells will soon be dry.

As I say, there is a difference of interests in OPEC. And the Saudi interest has prevailed. The Saudis have used their excess production capacity and a price of \$32 per barrel, to force other OPEC nations with higher prices out of the market. Now that prices have been unified at \$34 per barrel, OPEC will return to a plane of stability. The world glut will be reduced. Each member of OPEC will be given a share of the contract market and the cartel will be in control again.

I suppose these events can be read by the "free market" types as a confirmation of their policy. But to me, the headlines

say that Saudi Arabia has the power to unilaterally impose a world oil policy that serves their own national interests to the exclusion of the market and of other nations. Meanwhile, we are busy here in Washington unilaterally repealing energy policies that took us a decade to construct. We turn not to a marketplace, but to a prayer that over the long term our interests will coincide with those of Saudi Arabia. Well, they will not. Our long-term goal must be to reduce our dependence on imported oil. Current Saudi policy—price moderation—is designed to continue our dependence on them and their production of 8½ million barrels of oil per day. And who can say what our policy will be in the future?

So, there is no marketplace today, only a continuing need to safeguard our economy and our security against the seduction of momentary lulls in the energy crisis. But there is a clear need for Saudi Arabia to maintain U.S. and developed-world dependence—long term—on Saudi oil. Our attention to that need, rather than to alleged Saudi defense needs, will give us a foreign policy course that leads to Saudi-enforced stability in the Persian Gulf.

Third, we are being told we should approve this sale because the consequences of disapproval would be disastrous. The disaster to which most people allude is the presumption that our Nation will no longer enjoy credibility among world leaders if it does not follow through on a promise made by the President. This argument fails on several counts.

First, it overlooks the fact that the sale itself threatens our credibility. The sale would overturn firm commitments made three years ago by the executive branch to Congress—commitments which promised that approval of the sale of 62 F-15's to Saudi Arabia would not be followed by requests for further equipment. Congressional independence of the executive branch is a fact of life. It is a valuable asset which insures the strength of our foreign policy. It can be abused, but is overlooked at our peril. To pretend otherwise is dangerous.

Two. The failure of the sale at this time will do no more irreparable damage to President Reagan than did the initial refusal of Congress to approve the Carter AWACS sale to Iran, or the subsequent refusal of the House to approve the sale of this arms package to Saudi Arabia. Remember—and it is not hard—that it was not Congress that shot Jimmy Carter in the foreign policy foot. It was Jimmy Carter himself. It was Carter's vacillation that crippled him, not his congressional failures. Likewise, it will be this President's steady commitment—already illustrated in other regions of the world—which will bring stability to our foreign policy.

Three. Regardless of what we in the Senate decide on this sale, we will continue to be seen as reliable because this President is reliable. In the past, the major objection that most countries had to our foreign policy was not that Congress failed to support the President, but instead that our Presidents themselves could not settle upon a consistent foreign policy. Those fears have been put to

rest. Our reliability has been demonstrated repeatedly since President Reagan took office, most recently in our willingness to confront Libyan aircraft and in our strong support for continued assistance to both Egypt and Sudan.

Fourth. The presumption that disapproval of the sale will undermine our credibility suggests that we are willing to subordinate our foreign policy to our appetite for fossil fuels.

Finally, there is the question of Israeli influence on U.S. foreign policy—Begin versus Reagan. That is not the question. The real debate is over the future conduct of American foreign policy in a highly volatile region. The fact that the prime minister of Israel disapproves of this sale is absolutely irrelevant to our debate, and should not be offered by those who oppose this sale any more than those who support it. For what it is worth, I share the belief of the administration that this sale will not fundamentally jeopardize Israeli security. But an assurance that this sale will not harm an old and valued ally is not sufficient reason to support the sale. The question is whether we will harm ourselves.

Far too many people appear willing to erect a straw man—Israeli security—and then to claim that anyone who opposes this sale despite assurances about Israel has made a choice between our President and Israel's Prime Minister. This is patent nonsense, and it is dangerous politics. To assume that opposition to this sale arises because of the so-called Jewish lobby is to pander to the worst in our character.

The strength of every lobby—whether it is the American-Israel Public Affairs Committee, the National Rifle Association, or the American Legion—derives not from financing or from voting, but from the dedicated persistence of their members. We have heard nothing about the alleged "split loyalties" of those who favor this sale. We have heard nothing about the "oil lobby," which is pressing the views of a foreign government—Saudi Arabia—in this debate. But we have heard far too much about the motives of those who oppose this sale. Let us not degrade this debate any further with allegations about the divided loyalties of any Americans. For those allegations will do no one any good and they will only return to haunt those who rely on them.

THE ANSWER

In the final analysis, I keep returning to a question which has bothered so many of us in Congress for so long. I keep questioning the wisdom of this sale at this time. How much wiser would the President have been to withdraw the sale, especially after the murder of President Sadat and at least until the Saudis had made a commitment of support to our friends in Egypt. Under those circumstances, we could build a bond of friendship with the Saudis that would preclude a test rather than invite a test. It would be a bond built on the realities of the 1980's without Anwar Sadat, rather than on the unrealities of an arms race.

It is my fervent hope that we in the U.S. Senate will provide President Reagan with that opportunity this week.

Mr. PELL. Mr. President, I yield 6 minutes to the junior Senator from Minnesota.

The PRESIDING OFFICER. The junior Senator from Minnesota is recognized.

Mr. BOSCHWITZ. Mr. President, I join with my senior colleague in opposing the transfer of the AWACS and other equipment to the Saudis. I oppose it for so many reasons. I have to compress them all into 6 minutes, which I find difficult to do on an issue I have been so intimately involved with for so many months.

Mr. President, the 1978 sale was supposed to achieve some of the things I now hear this sale is going to achieve.

Instead, what we are achieving, in fact, is making the Middle East an armed camp, making it even more an armed camp than it is today. From east to west and north to south, it is one of the most incendiary, one of the most unstable—perhaps the most unstable—regions in the world. Libya is opposing many countries of the Arab world and others as well. Iran, Iraq, Yemen, Lebanon, are all unstable and some are under the influence of the Russians. Indeed, it is an unstable area. And yet we are told we should send still more arms, indeed, our most sophisticated arms, arms which, if they fell into the hands of adversaries, would result in a meaningful compromise of our compromise of our technology.

I have heard that the AWACS called right off the shelf technology. It is fascinating to read the things that were said when appropriations were being sought for the U.S. Air Force AWACS. The AWACS then was the most advanced piece of equipment in the world, now it is right off the shelf.

Indeed, it contains the most advanced equipment of its type in the world. Nobody has been able to achieve the narrow beam radar that we have. Nobody has been able to achieve the very low fraction of 1 percent leakage in the side lobe so that the danger of the radars being jammed is minimized. Everybody else is supposed to be 10 to 15 years behind the quality of our radar processor.

With this software, we are going to be able to do one of the things that one Senator spoke about, giving the protection that Americans servicemen would be entitled to if they find themselves in that area. Every protection? To provide every protection means we will have to put into the software of that AWACS airplane the most sophisticated information that we have in this country, information that is indeed classified but information which, if compromised, would just put us in a terrible fix.

The entire communication system and the entire IFF—identification friend or foe—system could be compromised. The so-called Soviet AWACS is many, many years behind the developments we have in this country.

People say it is a threat to Israel. I do not believe that the AWACS is a particular threat to Israel, militarily, until the Saudis learn how to operate it. This is unlikely for another 8 or 10 or more years. Then quite clearly it would be a threat to Israel.

The sale is heightening the arms race. It is putting an economic pressure on Israel that Israel might be unable to cope with. That is probably the principal threat that is leveled at Israel from this whole sale.

As I read about the representations made when funding for the U.S. AWACS was sought, I am just flabbergasted to hear some of the proponents of this sale say that the Israelis would pop the AWACS right out of the sky. There just is no truth in that. It is not that simple.

Finally, I am told that the Saudis are working for peace and that they are moderate, even though they will not give us bases, even though they call us medieval pirates when we try to protect ourselves in the gulf off the coast of Libya, even when they try to prevent Oman from giving us bases, even when they object to our filling the U.S. strategic oil reserve, even when they will not join Camp David.

They are still moderate? It is true, they are moderate, when they are compared to the other nations of the area, even though they finance the PLO, even though they call Israel the principal threat and apparently do not recognize the Russians as the principal threat in that area.

Mr. President, this sale simply should not go through.

Upon rejecting the sale, we should begin anew our negotiations with the Saudis. There is no question in my mind that AWACS should be in that area. There is no question in my mind that the Persian Gulf is an important part of the Western defenses, that the West now needs the oil that emanates from the Persian Gulf.

Mr. President, if we can promptly negotiate with the Saudis, if we can make them part of the negotiating process in the Middle East, then, indeed, I would be for this sale.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BOSCHWITZ. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from the Vice President to me concerning Idi Amin. I certainly agree with the contents of this letter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.
October 23, 1981.

Hon. RUDY BOSCHWITZ,
U.S. Senate,
Washington, D.C.

DEAR RUDY: My National Press Club point about Qadhafi's activities has generated a public discussion about the current whereabouts of deposed dictator Idi Amin.

I appreciate your telling the *Times* that you weren't trying to put me on the spot, and I want to assure you that I don't feel on the spot at all.

The point is that—while Amin was in power and murdering thousands of people—Qadhafi gave him personal bodyguards, military training for his troops, and millions of dollars with which to further rape his own country. Then, after Amin's abortive invasion of Tanzania turned into a rout, Qadhafi sent over 1,000 Libyan troops to help protect him and keep him in power.

Qadhafi actively supported Amin the dictator, the murderer, as he has supported and

trained others of the same ilk. Where Amin the refugee obtains asylum for his family today is irrelevant to that point.

I am confident that you agree with my point, and I hope you will also agree with me that the current travels and abode of refugee Idi Amin are of only passing interest in the development of American foreign policy.

Sincerely,

GEORGE BUSH.

Mr. PELL. I yield the floor.

Mr. PERCY. I yield 3½ minutes to the Senator from Alaska.

The PRESIDING OFFICER (Mr. COCHRAN). The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I thank the Senator from Illinois.

Mr. President, I have spent considerable time over the last several weeks studying President Reagan's proposed sale of AWACS and other military equipment to Saudi Arabia. I have physically viewed the AWACS plane, have attended a number of briefings, and have met with the President twice on the subject.

I was initially concerned about the absence of effective American control over the AWACS, once delivered to the Saudi Government. Because of this concern, I earlier expressed my opposition to the sale without proper security assurances for AWACS.

President Reagan addressed this concern in his draft letter to the Congress promising certification that proper security arrangements will be agreed to.

On Monday, while meeting with the President, I indicated that the draft certification letter did not contain acknowledgement by the Saudis of the terms. The President later responded by including language that would accomplish this.

Mr. President, the F-15 enhancement component of this proposed sale has also concerned me. The delivery of long-range fuel tanks and the Sidewinder missiles for the F-15 do indeed represent a significant offensive weapon capability. The justification for this is to improve protection of the Saudi oil fields by extending the range and capacity of the F-15.

It is imperative to the United States that the Saudi oil fields, which contain 29 percent of the world's oil reserves, be protected. This is especially true in view of Colonel Qadhafi's threat to destroy the Saudi oil facilities.

In considering the F-15 enhancement proposal, it is important to me that President Reagan has reiterated to me personally in the strongest possible terms his absolute commitment to the security of Israel—a commitment which I fully share. It is also important to consider that delivery of the AWACS and the enhancement package of the F-15 will not occur for 4 years.

Making a final decision on this issue has not been an easy one, Mr. President. While I continue to have misgivings as to the advisability of the enhancement package, I believe the President must direct the Nation's foreign policy.

The President has indicated repeatedly that this decision is in the immediate and long-range interests of our Nation and the peace in the Middle East.

He has personally assured me at both our meetings that he is committed to continuing the quest for peace in the Middle East. As a consequence of his commitment, I do believe it important to support our Commander in Chief and I intend to vote in support of the sale.

Mr. PERCY. Mr. President, I yield 3 minutes to my distinguished colleague from Wyoming (Mr. WALLOP).

The PRESIDING OFFICER (Mr. MURKOWSKI). The Senator from Wyoming is recognized.

Mr. WALLOP. Mr. President, I rise in strongest support of the sale of the AWACS package to Saudi Arabia.

I strongly believe that it is in the interest of the United States to proceed with the sale of the AWACS package to Saudi Arabia. No one can deny the importance of Saudi Arabia and the Middle East to the entire Western industrialized economy and, therefore, the United States. The Saudis alone account for 29 percent of the world's oil reserves. Our friends and allies, Great Britain, Canada, France, and Japan depend specifically on Saudi Arabia for great portions of the oil supplies to drive their economies.

The future growth of those economies are extremely vulnerable to continued flows of Middle Eastern oil. This area is truly the oil artery of the free industrialized economies and both Presidents Carter and Reagan have committed us to defend that region.

Recent years have brought increased threats of disruption to the area. The fall of the Shah in Iran and Soviet advances in South Yemen and Ethiopia are tokens of the decline of our position there. The assassination of Anwar Sadat was a major blow to the overall stability in the area and to the U.S. policy.

The area is vulnerable both to internal subversion and to external conventional attacks. The highly developed apparatus for subversion—the Soviet Union, the PLO, South Yemen, and Libya—are not to be minimized, but the threat of subversion cannot be used as an excuse to neglect the defense from conventional attacks. Capability for such attacks is now within the capacity of many unfriendly regimes within the region in addition to that of the Soviet Union.

The Saudis own present capability for defense from conventional attack is extremely limited, limited primarily by the reliance on ground-based radars which provide insufficient warning to launch defending fighters. The AWACS package is designed to provide Saudi Arabia with a limited capability to defend its own territory.

The AWACS aircraft itself provides the airborne radar to give early warning of high-speed, low-flying attack aircraft coming across the Persian Gulf.

No one argues that this package fully provides the Saudis with sufficient capability to endure sustained conflict. It does permit interim protection, which would buy time for U.S. forces to be deployed in the region.

Mr. President, the Senate must now deal with the proposal that is before it, not some desirable modification. Saudi

Arabia has made clear its intention to acquire its own capability to defend its oilfields and its territory. As we all know, the modern equipment necessary to meet this goal are not solely available from the United States.

Great Britain has indicated its willingness to sell the Saudis the Nimrod, an aircraft of similar capabilities which include offensive capability.

Indeed, it is anticipated that the Soviet Candide will be operational with these capabilities by the time of the 1985 sale. Conceivably, it could be sold to Saudi Arabia.

The French are also aggressive salesmen of modern fighter and missile technology. Clearly, denial of the U.S. AWACS package will not result in continuation of the status quo, with exclusive U.S. operation of the AWACS and control of its information.

The alternative that would follow rejection of the package is a gradual phasing out of the U.S. role in this region and increasing reliance by Saudi Arabia on other military suppliers. In those circumstances, U.S. crews will not be involved in the initial or any other phase of the operation of the aircraft, nor will there be a reliance on U.S. ground support staff into the 1990's. Lost will be the convergence of United States and Saudi equipment, operational support requirements. Gone will be the influence of a strong military partner to assure the use of the aircraft is in accordance with pre-sale agreements. Gone will be the continuous U.S. access to data from the Saudi early warning airplane.

Likewise, should the United States be required to deploy the Rapid Deployment Force to defend the region, as President Reagan has committed, our forces would be denied compatible early warning information and the advantages of operating in conjunction with commonly supplied allies.

These reasons make a strong military case for approval of this package, substantially enhancing the capability to protect the oil artery of the free industrialized world, and without shifting the balance of Israeli air superiority. For these reasons I strongly endorse this sale.

There are those that argue that the potential loss of the advanced technology incorporated in AWACS outweighs the potential value of its use for defense of Saudi oilfields. Loss of this aircraft to the Soviets would clearly be a compromise. However, one should note that the technology for AWACS was frozen in 1972.

The computer design, key to the capability of the AWACS, does not reflect the technology of the current generation of computers. The British technology would be just as vulnerable to loss, and the Soviets will have the similar Candide operational within the timeframe of the planned 1985 deployment.

The risk of technology loss exists, but it must be weighed against the greater risk to free industrialized economies and serious deterioration of U.S. capability to influence all nations to pursue a moderate peace-seeking course. The latter risks are significantly greater. In fact,

our daily loss through technology transfer exceeds any potential loss through these aircraft.

We are forced to vote this afternoon on the package as it is before us now. The times for changing the components of the sale are gone, or for suggesting different operational nodes for the aircraft.

Too much has been invested on both sides to start again. Such a course is clearly impossible now. Much of the impact of the sale is now symbolic to both sides, influencing the perception of the U.S. ability to conduct a balanced foreign policy in the Middle East. Neither side has followed United States wishes down the line on every issue and in every situation, nor are they likely to in the future.

We must decide which decision will best enhance the peace process and the U.S. ability to influence it. It is a question of our country's image, how we are perceived in that critical part of the world.

Rejection of the AWACS sale would send a clear message to the moderate Arab States in the Middle East. The perception would be that the United States has but a one-sided policy. We will be viewed as an unreliable ally and less than dependable as a supplier of military hardware.

Our President's capability to negotiate and commit to United States foreign policy would be seriously diminished. All our friends throughout the world must be confident that our Nation can in fact conduct a foreign policy.

Rather than building on the positive actions of Saudi Arabia in the Lebanon peace process, we would be abandoning our influence with moderate Arab States to peaceful solutions, subjecting them to increased pressures from the radical forces in the Middle East.

Our commitments of support would be perceived as hollow. This perception would easily expand to include our President's commitment to defend Israel.

Finally, let me caution that after the vote, this afternoon is not the time for any recriminations either domestically or internationally to any of the parties in these debates, no matter what the outcome of the count. The military value of this package is not worth the loss of increased friendship with any of the parties.

The stakes of this vote are extremely high. In truth, much damage from public debate over the vulnerabilities and motives of two of our strongest friends in the Middle East has not enhanced cooperation there. No matter the outcome of the vote, our Nation must take a positive outlook and work to strengthen our ties with all parties.

Mr. President, in addition to the remarks that are in the statement I have already made, let me say that, in view of the tragic events in Egypt over the last 2 weeks—the death of President Sadat and the succession to power of President Mubarak—nobody knows that that leadership is secure. Nobody can know, including President Mubarak, that all events can be foreseen and that the ability to defend against those who seek

instability in that part of the world will not succeed.

But, Mr. President, whoever—whether President Mubarak or any successor of his—takes the reins of power in Egypt cannot possibly pursue the remaining strands of peace from the Camp David accords unless there is some relief of the pressure from the nonaligned Arab States.

I am saying, frankly, that the price of moderation must be recognized, and that there will be no ability to remain moderate if there is not some recognition.

The pressure on President Mubarak or any successor of his will be intolerable and those who seek stability in the Middle East and those who seek the security and well-being and the peace of Israel will be, themselves, accountable if the moderation in the policies that have been offered to the Free World by the Saudi Arabians does not find some reward. I know there are those in this room who have claimed that the price rises were all the Saudis' doing but they who are going to claim that must also claim that the price stability and the supply stability is, as well, all the Saudis' doing. The AWACS sale is, in some respects, a reward for moderation.

I hope those in the Senate who have the interests of that world at heart—and I am saying the interests of all that world, whether Egyptian, Arab, or Israeli—and the interests and the stability of the Western World at heart, will take a serious look at dropping the symbols, because the argument is plainly over symbols and not threats.

With that, Mr. President, I yield the floor.

Mr. PERCY. Mr. President, I thank my distinguished colleague very much and yield half a minute to my distinguished colleague from Mississippi (Mr. COCHRAN).

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, the Senate's decision on this resolution is perhaps the most important foreign policy decision we have made in recent years.

I am convinced the approval of the sale of the AWACS system and the F-15 enhancements to Saudi Arabia will enhance our Nation's presence in that region and permit the United States to exercise a greater degree of influence in this volatile area of the world.

With a new crisis of leadership in the Middle East, following the tragic assassination of President Sadat, the cause of peace and stability requires a renewed commitment by the United States to be a constructive force for the maintenance and progress of the peace process.

Mr. President, I have carefully reviewed this arms sale proposal and tried to assess all the relevant factors and, after considerable deliberation, I decided to support the sale and vote against this resolution of disapproval.

In my opinion, the sale serves our own national interests and will improve the chances for peace among all our friends in that region. I do not believe this sale poses a real threat to Israel, but comes at a time when hostile nations such as Libya are testing our resolve to stand

firm as friends of Israel and the more moderate Arab States.

Saudi Arabia does not agree with Israel on very many issues, but both are friends of the United States. I believe both can help deter others who would seek to disrupt our own security interests in the Middle East. The oil fields of Saudi Arabia and the Persian Gulf are a vital interest of the United States, and the AWACS will make them less vulnerable to surprise attack. We might be able to protect these oil fields on our own, but at a substantially greater cost. The Saudis are willing to pay in excess of \$8 billion for these aircraft.

The administration has assured us that there will be an American presence in the aircraft and on the ground in Saudi Arabia well into the 1990's. Arrangements for protecting the security of the AWACS system will also be subject to U.S. approval and participation.

The Secretary of State, in his testimony before the Senate Committee on Foreign Relations, described the efforts of the administration to implement a coherent policy in that part of the world.

The administration has described a strategy consisting of: Improving our own military position in and near the region; strengthening the defense capabilities of our friends; restoring confidence in the United States as a reliable partner; and pursuing a permanent peace in the region.

I believe the President is on the right track, and I believe that on the merits, the AWACS sale is an essential element of a sound policy that serves our Nation's security interests.

Rejection of this transaction would diminish American influence in the Middle East, and at a most crucial time indicate our unwillingness to be a constructive force for peace and stability.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Rhode Island has 6 minutes until the hour of 4 o'clock at which time he has 40 minutes with the minority.

Mr. PELL. I yield to the majority leader.

Mr. BAKER. Mr. President, I ask for 30 seconds. I have cleared this with the minority leader.

ORDER FOR RECESS TODAY UNTIL 9:00 A.M.
TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR SPECTER
TOMORROW

Mr. BAKER. Mr. President, I ask unanimous consent that, after the recognition of the two leaders under the standing order, the Senator from Pennsylvania (Mr. SPECTER) be recognized for not to exceed 15 minutes on a special order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, I understand the Senator from Iowa (Mr. JEPSEN) is

on his way over here. Some of us have some questions for him, but in the meantime, the Senator from Delaware has some points that I think will illuminate the points we have been discussing.

I yield at this point to the Senator from Delaware.

Mr. BIDEN. I thank the Senator.

Mr. President, since time is short, I will get to the point.

The issue here, it seems to me, is U.S. security, not Israeli security, not anyone else's security—U.S. security.

We have heard several arguments raised on the floor.

By the way, I am prepared to yield at any time the Senator from Iowa would like the floor, because I would love to hear what he has to say.

We have heard several arguments offered here: First of all, that we must make this sale because Saudi security is at stake; Saudi security is threatened by the Soviet Union. That is ridiculous. No. We could sell them the entire U.S. Air Force, and that is not going to make a difference in terms of security if there is a dedicated attack by the Soviets.

We are told about Iraq and Iran and that they are going to knock out the oil fields. One of my colleagues said Qadhafi may do that. I will read one sentence from the Foreign Relations Committee report, and the Intelligence Committee corroborates this:

Successive air attacks would be needed to knock out overall oil field production capability for any prolonged period.

We are talking about shutting down Saudi oil. We should know what we are talking about. We are not talking about an isolated raid. We are talking about the need for successive, accurate strikes to have a long-term impact.

We are told that one of the reasons we have to go forward with this sale is that somehow the President is at stake here. We have been through that a number of times.

Mr. President, I yield the floor and reserve the remainder of my time, to hear the Senator from Iowa.

The PRESIDING OFFICER (Mr. D'AMATO). Who yields time?

Mr. PERCY. I yield 5 minutes to the Senator from Iowa.

Mr. JEPSEN. Mr. President, I have long been on record as an opponent of the AWACS sale to Saudi Arabia. As far back as last March, I have been on record as having severe reservations about the sale. I cosponsored the resolution of disapproval because of these concerns. I still worry about many of the aspects of the proposed sale. However, in recent weeks, three major things have affected my thinking:

First, in meetings and discussions with the President and other high administration officials, I have been given classified information. This new information has lessened the concerns I had with the sale.

Second, the national and worldwide attention created by this debate have changed the stakes involved. The issue has become much broader and much more important than the AWACS sale itself. It has become increasingly clear that a defeat for the President on

AWACS would curb his ability to achieve the many foreign and domestic policy objectives necessary for world peace and domestic economic stability.

Third, when I ran for the Senate in 1978, I told the people of Iowa that a Senator should be the hired man of the people. I believed that then and I believe that now. In recent weeks, large numbers of Iowans have been telling me that they support the President's decision to sell the AWACS package to Saudi Arabia. This Senator has heard their voice.

In weighing these and other factors that have developed over the last few weeks, such as the assassination of President Sadat of Egypt, I have come to the conclusion that a vote for the sale of the AWACS is a vote for:

The best interest of the United States;
The safety and security of Israel;
Stability in the Middle East; and

My President and his future successful conduct of foreign and domestic policy.

Today at 5 p.m., I will vote for the sale.

It was after prayerful and careful deliberation that I reached this decision.

It was after equally serious deliberation that many of my colleagues decided to vote against the sale. Therefore, I have been offended by the attacks some people have made about the motives of the anti-sale Senators.

Let the record show that all Senators put the interests of the United States first in their minds. Let us also summarize something that the record already shows—namely, that this was an exceptionally difficult issue, with very strong arguments on both sides of the question. This was an extremely agonizing decision for many Members of this body. In my opinion, any comments questioning a Senator's motives are unsupported by the facts, and uncalled for. The bottom line is that it is a personal judgment which every Senator has to make.

When we are accused of wheeling and dealing by uninformed citizens, it is unfortunate, but it is far more understandable than the aspersions cast upon Members of this body by members of the media. I understand that a story saying that many Senators, like myself, spent hours and hours of study and deliberation and anguish, deciding what is best for our country is not as salable as a story that insinuates that votes have been bought, or that arms have been twisted off, or that a Senator is in this person's pocket or another.

But what is salable should be less important to the media than what is true. I know most people in the media believe that and try as hard as possible to check their facts, and to be objective. But there are other forces in the media as well, and these forces have been present during the coverage of the AWACS debate.

This Senator has been mentioned in AWACS news stories that had absolutely wrong information and/or gave space to wild allegations about my motives. I know other Senators have experienced this same treatment.

I join members of the media in my fondness for the first amendment. Nonetheless, we should remember the words of Alexandr Solzhenitsyn:

A society without any objective legal standard is a terrible one indeed, but a society with no other scale than a legal one is not quite worthy of man either.

Responsible reporters and editors should demand the same standards of their colleagues that they demand of themselves.

Other people have complained about the lobbying that surrounded this vote. I can speak only for myself. My exposure to lobbying by the administration and the American Israeli Public Affairs Committee was minimal and was focused on the central question: What course best serves American interests? Arguments to the contrary cannot be supported by the personal experience of ROGER JEPSEN.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JEPSEN. Mr. President, I ask unanimous consent to proceed for 30 seconds.

Mr. PERCY. I yield 30 seconds.

Mr. JEPSEN. Mr. President, let me close by saying that as we head toward a very close and crucial vote, there is a single hope in the minds and hearts of every Senator. We hope that the arguments of the side that prevails will be proved in our experience in the coming years to be correct. We all want the same outcomes on the Middle East—among them, a secure Israel, peace in the world, a steady flow of oil to the Western countries, and friendship among the Arab countries.

I pray that the decision we make today, whatever it may be, will prove to be a correct one.

Mr. PELL. I yield 2 minutes to the Senator from Delaware.

Mr. BIDEN. Mr. President, I do not question the motives of the Senator from Iowa. I do question his facts. I should like to ask him three questions, on my time, relating to his assertion that intelligence information has been disclosed which helped him change his mind.

The Senator is not suggesting, is he, that there is any intelligence he was shown that did anything other than say that the stability of the Saudi regime was mixed or that the Saudi military is going to have great difficulty absorbing the weaponry, or that U.S. intelligence reporting on the Soviet counterparts to AWACS and AIM-9L are not complete?

The long and short of it is that you did not receive anything that the Intelligence Committee failed to receive. Is there anything you know of that you think warrants our being brought into a closed session, which underscores your point about new intelligence data you have?

Mr. JEPSEN. I have discussed this earlier with Senator GLENN, and I visited with him about it. We all have information. You are on the Foreign Relations Committee, and you have classified information that I do not have, but I could have it if I wanted to look it up. I am on the Armed Services Committee, and I may have information that you do not have, and you could look it up.

I made a simple statement. In my judgment and in my opinion, I received additional information that helped alle-

viate some of the concerns I had. It did not eliminate them.

Mr. BIDEN. That is a fair answer to my question.

There are two other arguments for the sale. One is that if we do not sell this equipment, there will be great reprisals. I think it is time the United States should wake up to the fact that the Saudis have no place else to go. Let us play some hard ball, as my conservative friends say.

Also, we are concerned about Saudi stability.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BIDEN. I suggest that my time is up, and I will sit down.

[Laughter.]

Mr. PELL. Mr. President, I am glad to yield another minute to the Senator from Delaware.

Mr. BIDEN. I accept it.

Mr. NUNN. Mr. President, may I ask the Senator one question?

Mr. BIDEN. On his time.

Mr. PELL. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from Rhode Island has the floor.

Mr. NUNN. Mr. President, may I ask one question of the Senator from Delaware?

Mr. BIDEN. I have no time but I am delighted to answer a question.

Mr. PELL. I yield the time I have remaining.

Mr. NUNN. I have one question. I heard the Senator from Delaware basically refute any threat to the Saudi oilfields from almost any source. As I understood the Senator's statement, does the Senator believe that we have no need for the AWACS that are there now on the ground?

Mr. BIDEN. No. What the Senator is saying is that there is no ability of the Iranian air force to knock out the Saudi oilfields in a single strike—which is the rationale we are offered as the reason why they must have the AWACS.

I conclude by saying that the AWACS is already there and it is already integrated with our force structure.

Mr. SASSER. Mr. President, the Senate vote on the proposed sale of AWACS aircraft and F-15 enhancement equipment is now before us. I urge my colleagues to vote against this proposed sale.

The AWACS and F-15 enhancement sale should not be approved. The sale compromises our military intelligence capabilities, it does nothing to advance the peace process in the Middle East, and the sale promises a dangerous escalation of the arms race in this region of the world.

Let me set forth in some more detail my reasons for opposing this sale.

First, the AWACS F-15 enhancement sale could result in a dangerous breach of our national security interests. The AWACS sale could result in dispersal of highly sensitive and secret information about this most sophisticated intelligence-gathering equipment.

Since the superiority of U.S. military strength in this region depends largely on the superiority of our military technology, our military strength will be compromised if the AWACS falls into

alien hands. The real possibility of an internal revolution in Saudi Arabia or seizure of the AWACS by individual radical groups in the region poses a high risk that the AWACS could fall into the wrong hands. This is a military risk that we should not take.

The AWACS F-15 sale also does nothing to advance the cause of peace within the Middle East.

The American people have been saddened and shocked by the death of Anwar Sadat, the chief Arab architect of peace in the region. Some now have suggested that with the AWACS sale we will help advance peace and stability in the Middle East.

However, Anwar Sadat backed the Camp David accords, the Saudis do not.

Anwar Sadat permitted Egyptian facilities to be used by the U.S. rapid deployment force. The Saudis will not.

Anwar Sadat renounced terrorism as a means for political change: The Saudis continue to call for a holy war against Israel and have provided extensive support for the Palestinian Liberation Organization.

The Saudis have yet to demonstrate that they are a true force for peace in the Middle East. The AWACS F-15 enhancement sale to the Saudis in my opinion will do nothing to reduce tension and move us closer to the Camp David accords.

Finally, the AWACS sale is going to contribute to an escalated arms race in the Middle East.

I find it ironic for the administration to try to prove simultaneously that the AWACS is so advanced that it could enable the Saudis, in theory, to hold off the Soviet air force and yet so stripped down that it will be vulnerable to Israeli jamming. These are truly tough statements of fact to reconcile.

Yet, it is incontestable that the AWACS is the ultimate enhancement for the squadrons of F-15's that the Saudis will own and fly. The over-the-horizon radar of the AWACS is a quantum leap in radar engineering and could be of great effectiveness in augmenting a Saudi strike force. The temptations for military adventurism are enhanced by the AWACS sale.

And we must not lose sight of the fact the other components of the AWACS sale enhance the offensive capabilities of the Saudi air force. The fast-pack conformal fuel and equipment pods equip an F-15 with a combat radius of over 1,000 miles and a heavier bombing capability. The AIM-9L Sidewinder air-to-air missile is a state-of-the-art air attack weapon. The capabilities of this weapon are so great that former fighter pilots have signed a letter urging the Congress to exercise its prerogatives in denying this weapon to any other nation.

And once we sell AWACS and these other weapons to the Saudis, what other weapons will we need to supply other countries in the region?

An arms race in this highly volatile region of the world does nothing to reduce conflict within the region or to advance peace in the world as a whole. The Middle East is, to be blunt, a tinderbox, and this country is ill-served by becom-

ing an unwitting partner in escalating the arms race in this part of the world.

Mr. President, the AWACS sale is a mistake militarily, diplomatically, and politically. We have a solemn contract as embodied in the Camp David accords to work for peace and security in the Middle East. The AWACS sale is a step in the opposite direction. Consequently, I urge my colleagues to vote to disapprove this arms sale.

Mr. HATCH. Mr. President, although I am voting to support President Reagan's decision today, I do so with the greatest reluctance. Like so many of my fellow Senators, I believe the sale of AWACS to the Saudis to be a mistake, and I believe that the Government of Israel is correct in its concern that these aircraft will not enhance the security and stability of the Middle East. But three other factors are more important and I want to address them now. The first and most obvious is the necessity for our President to be able to conduct foreign policy with authority. In cases like the Panama Canal or the SALT II treaty, many of my colleagues and I were willing to oppose the President and we accepted the danger of undermining the Presidential authority in foreign affairs because of the severe consequences that we saw in those decisions and because we were bound by the Constitution to give our advice and consent in the matter of a treaty.

But today, Mr. President, this is not a matter of advice and consent to a treaty. So I will vote with the President, very reluctantly.

The second factor is the question of damage to the security of Israel that may be inherent in this decision. I accept second place to no one in my support for the land of Israel. I initially opposed the sale of AWACS precisely because of the concern I have for the security and long-term survival of Israel. I spent many hours in reading classified documents about how the military balance in the Middle East in the next decade would be affected by the AWACS and other weapons in this package. I sent representatives to meet with the commander and deputy commander of the Air Force of Israel. I went aboard the AWACS aircraft myself to appreciate its capabilities in detail.

My conclusion was that Prime Minister Begin is essentially correct. AWACS in the hands of the Saudis will diminish the security of Israel. When I discussed these details with President Reagan, however, I received his assurances some of which have since been incorporated in his letter to the Senate, that go a long way toward making this sale just barely acceptable to me. The most important reassurances to me are the operating practices that the Saudis will follow, flying the AWACS no closer to their borders than 100 to 150 miles, the restrictions on sharing information with third countries without our consent, and the prohibition on flying outside Saudi Arabia. We have the President's commitment in this letter that the Saudis will accept these safeguards and others in the letters of agreement and associated documents for the transfer.

Mr. President, it comes down to a sim-

ple point. The survival of Israel is not at stake in this vote today. If it were so, I promise that I would defy the President's authority in foreign affairs, and no letter about safeguards would reassure me. What it comes down to is that the analytical judgment of American defense experts differs from the calculations of their colleagues in Israel who see a graver threat from the Saudi AWACS and F-15's in the late 1980's than American experts do. This is a legitimate point of difference. The Israeli military leadership has the right and the obligation to be cautious in their assessment of the threat to Israel.

But they also know and indicated to me that the survival of Israel is not at stake. Other means can be found to compensate the Israeli defense forces for this sale to the Saudis.

Mr. President, I intend to work with my colleagues and with the President to find a satisfactory compensatory package for Israel which will maintain a military balance for the long term highly favorable to Israel. That is the least we can do after today's vote.

The third factor will sound harsh and too critical to some. But I must point out what I have not heard at all in this AWACS debate the past few weeks. AWACS is not Middle East policy. AWACS is not a long term strategy for peace in the Middle East. AWACS is not a major step in the search for "strategic consensus" about the Soviet threat. AWACS is not the next step in the Camp David peace process. AWACS is not a move toward settlement of the Palestinian question.

It has been a bitter disappointment to me to see so much of the President's attention devoted to his single arms package which diverts him and diverts the Congress from the real question of a peaceful settlement of main issues of war and peace in the Middle East. When King Hussein of Jordan comes to meet President Reagan next month, we as a nation have the opportunity to begin to focus on what next steps can be taken to enhance or replace the Camp David framework in some way that will move all the parties a step closer to a peace that will bring Israel the recognition of her legitimacy as a state that she has been denied by all the Arab nations but Egypt, and that will also bring satisfaction to the Arabs, and especially the Arab Palestinians, whose rights Israel has agreed to recognize in the Camp David framework. Without such progress, Mr. President, all that we debate here today about AWACS, the Saudi Government, the potential loss of American technology, the threat to Israel in the short term, all these matters will be irrelevant.

So I vote reluctantly with the President but also with sadness and disappointment that we have yet to address either the compensation package for Israel that I believe must be designed and delivered, and we have failed to address the question of the next steps in the search for peace in the Middle East where Israel is as yet not recognized as legitimate by the vast majority of the region.

Mr. President, I hope that somehow the President can link progress toward a settlement of the recognition of Israel and the question of Palestinian rights to the larger, geopolitical quest that Secretary Haig began in April toward a strategic consensus of the Arab world on how to deal with the Soviet threat. I believe that the rulers of Saudi Arabia now have an obligation to work with us in the search for a Middle East peace from which they were unfortunately excluded in the Camp David meetings between Israel and Egypt. With this vote today, Saudi leaders must know that they have joined the peace process—or they will have gravely betrayed an American President and his supporters in the Senate. I am told that Arabs value their honor highly and it is now Saudi honor that is engaged in our search for strategic consensus and peace in the Middle East which recognizes the legitimacy of the State of Israel. I will be watching the Saudis' next steps in this long process.

Mr. HUMPHREY. Mr. President, President Reagan formally notified Congress on October 1, 1981, of the proposal to provide the Kingdom of Saudi Arabia with an advanced air defense package. The proposal includes:

First, five E3-A airborne warning and control system (AWACS) aircraft with the inherent support and ground radar; Second, 1,777 AIM-9L Sidewinder air-to-air missiles;

Third, 101 ship sets (202 tanks) of conformal fuel tanks for the Royal Saudi Air Force F-15 aircraft.

For many weeks, both preceding and following the official notification of the proposed sale, I have carefully considered the President's initiative. It was only after thorough deliberation, investigation, and study that I decided to support the President.

The United States has made clear its interest in the Middle East and has striven to bring peace and stability to that region of the world. Likewise, the United States has clearly stated its intent to defend its interest, and that of the West, in the Persian Gulf. Our ability to foster peace and stability in the Middle East can be enhanced through our support of more moderate governments in that part of the world. Similarly, our force projection capability to protect our vital interests is furthered through cooperative military efforts with such nations. In this context, the administration's proposed arms sale to Saudi Arabia is sound.

Two concerns with the proposal were of paramount interest to me. The first was the vital matter of the security of our strongest and most loyal ally in the Middle East, the State of Israel. After listening to respected witnesses who appeared before the Senate Committee on Armed Services, after reviewing relevant documents, many of which were classified, and after long thought, I have concluded that the package of arms the administration intends to sell to Saudi Arabia does not represent a credible threat to Israel. Indeed, the proposed sale will advance the security of Israel by insuring a significant American presence in Saudi Arabia, and by bolstering

the position of this moderate, staunchly anti-Communist country.

The second concern is the critical issue of the security of certain U.S. technology incorporated in both the E3-A AWACS aircraft and the AIM-9L Sidewinder air-to-air missiles. There is no denying that a degree of risk exists for the compromise of this technology. Such a risk exists whenever sensitive technology is made available to any foreign state. However, I believe that the understandings reached between the United States and Saudi Arabia will provide the necessary level of security.

Furthermore, approval of the proposed sale to Saudi Arabia will strengthen our ability to influence events in the Middle East. Our stature as a reliable ally will be advanced, and our claim of a serious and long-term interest in the region will be confirmed.

In addition, the assistance provided to Saudi Arabia will be a concrete sign that we do not intend to let the Soviet Union fill the vacuum in the Middle East resulting from the fall of the Shah of Iran and the tragic assassination of President Sadat of Egypt. The program of assistance planned for Saudi Arabia represents a unique opportunity to broaden our alliances in this troubled area, and I believe that we should take advantage of it.

However, I take issue with a number of points that have been raised in support of the proposed sale. It is difficult to claim that security risks are minimal until such time that specific security arrangements are implemented. The AWACS capabilities cannot be downgraded. It is an advanced early detection system, and indeed it will be a major component of our command, control, and communications network well into the next decade. The United States is the only nation in the world which possesses a system of this caliber. The Soviet Union remains significantly behind in developing such a system. There is little doubt in my mind that compromise of this aircraft or other elements of the package, especially the AIM-9L Sidewinder missile, would provide valuable intelligence to the Soviet Union and would cause serious harm to our national security.

Thus far, we have only verbal assurances that such technology will be protected. I do not believe that these are adequate in light of the extreme sensitivity of this technology. Although I believe that the measures outlined in assurances given the United States by Saudi Arabia will provide the requisite safeguards, only when the promised measures are physically implemented can we be sure that the risk of compromise is, in fact, low and acceptable.

The agreements reached between the United States and Saudi Arabia which insure extensive American participation in AWACS operation are often cited to allay concerns about Saudi use of this equipment. I would like to point out that this is simply due to the fact that Saudi Arabia will be unable to operate AWACS for some time, and that the American presence is not the result of any Saudi willingness to have us involved

in joint crewing. The severe shortage of Saudi air and ground technicians qualified to operate AWACS require U.S. Air Force personnel to operate the systems while Saudi personnel are trained.

Finally, a number of questions will remain unanswered until the President certifies in writing that certain key requirements have been met. Specifically, conditions relating to U.S. access to AWACS-gathered intelligence, third nation access to the AWACS equipment, and the actual formulation and implementation of security measures. Verbal assurances do not adequately address these critical questions. In his letter to the Senate today, President Reagan assured that the appropriate certification would be forthcoming, and I would like to stress the need for such documentation to be provided promptly.

The final analysis shows that the sale of the package to Saudi Arabia proposed by the President is clearly in the interest of the United States. I urge my colleagues to support the President and reject the resolution of disapproval.

AWACS

Mr. ROTH. Mr. President, today the Senate is going to vote on whether or not the United States should make some of its most advanced military equipment available to Saudi Arabia. Ordinarily, one would expect the Senate to debate this issue in careful and sober terms. Instead, a degree of emotionalism has pervaded the discussion that has obscured the basic issue: Is it or is it not in the best interests of the United States to turn over complete control of super-sophisticated military equipment to a potentially unstable government in an extremely volatile part of the world?

After reviewing the available evidence yet once again, I conclude that there is no reason to reverse my earlier determination to oppose this sale. Two broad considerations have led me to take this position.

First, the external threats to Saudi Arabia do not outweigh the risk of compromising some of the most advanced technology in the American military inventory. The threats to the Saudi oilfields, or to the ruling royal family, are largely internal. None of the neighboring states has the capability of taking out the Saudi oilfields in a single air strike, or even in a short war. What is more, the two countries that would have the capability of doing the most damage—Iraq and Iran—are engaged in what appears to be a prolonged war. In fact, Saudi Arabia is actively supporting Iraq against Iran.

In the event that the Soviets should decide on direct action with their own forces against Saudi Arabia, there is nothing the Saudis could do to stop them—with or without the AWACS package. In practice, therefore, any serious attack from the outside on Saudi Arabia could be stopped only by U.S. intervention.

On the other hand, potential internal threats to Saudi stability are very real. Of a small population of only 7.5 million people, one-third are foreigners. In addition to hundreds of thousands of polit-

ically active Palestinians, the Ayatollah Khomeini has some 300 sympathizers in Saudi Arabia. Externally provoked subversion is hardly out of the question. The rising tide of Islamic fundamentalism has made every regime in the region justifiably nervous. The assassination of Anwar Sadat while he was reviewing supposedly loyal troops underscores the volatility of the Arab world today.

Should this technology fall into the wrong hands, our own military men and women could be put in serious jeopardy. For instance, if Libya had had the Sidewinder air-to-air missile—which is a part of this package—the recent air battle in the Mediterranean could well have come out differently. This same line of reasoning convinced me to oppose the previous administration's proposal to sell AWACS to the Shah of Iran—a sale which was supported at that time by Israel. One can well imagine how much greater the risk would have been to the men who attempted to rescue the American hostages had the Ayatollah's air force had an AWACS aircraft.

Second, far from enhancing the prospects for a strategic consensus in the Middle East, this arms package will in all likelihood increase tensions in the area. If we have learned anything from history, we should know that where nations have basic conflicts of interest, peace can be maintained only through a credible balance of power. After all, it is for this reason that we have in this country embarked on an expensive program to rebuild our strategic defenses. Yet the sale of the AWACS package—which included the state-of-the-art Sidewinder missile—will be perceived by Israel as a dangerous tilting of the military balance in favor of the Arabs. The end result could well be to increase the chances of another Middle East conflict erupting that would destroy the very consensus we are trying to achieve.

The basic point I would like to make, Mr. President, is that if AWACS technology is needed in the region to counter international aggression it should be under American ownership and control. Even in NATO, AWACS aircraft are under U.S. command. It may well be theoretically possible to construct an arrangement by which the Saudis have access to the information provided by AWACS while the United States retains operational control. But so far as I am aware, the Saudis have not indicated a willingness to work something out.

In closing, Mr. President, I would like to say that I do not know how this vote today is going to come out. I suspect that it will be close. I am sure that both sides are right when they say that there will be costs if their side loses. But I think that when the heat generated by this debate dies down, all parties will see that our interests in the Middle East, and by extension in the world, transcend the resolution of this single issue. The ties that bind this country to both Israel and Saudi Arabia are far too strong to be severed by a single decision of this magnitude.

Mr. President, I also ask unanimous consent to place in the RECORD an editorial published on October 18 by the

News Journal of Wilmington, Del., that argues most cogently against the AWACS package proposal.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A BAD DEAL

It seems like only yesterday that Saudi Arabia was most prominent among those oil-rich nations of the Middle East brandishing petroleum as a weapon against what they considered the pro-Israeli West, particularly the United States. They are not so long past that many Americans cannot recall the unyielding Arab embargoes, fully endorsed by Saudi Arabia, against U.S. firms that dared to do business with Israel. And most recently, Saudi Arabia renewed its call to Arab nations for a jihad or holy war against Israel. Yet today, if we are to believe Secretary of State Alexander M. Haig Jr., Saudi Arabia is the United States' foremost friend in the Middle East. (Our condolences to Israel and Egypt.)

Saudi Arabia's oil is vitally important to the West, and particularly the United States. Not only does the United States hope to avert any further cutoffs of that oil to us but also it hopes to deny it to the Soviet orbit. It would do that by making Saudi Arabia the keystone of a "strategic consensus" in the Middle East against a mutually recognized threat from the Soviet Union or client states of the Kremlin—South Yemen, Libya or Iraq, for instance. Concede that threat and you create an immediate crisis of vulnerability in Saudi Arabia, one that cries out for a massive infusion of sophisticated weapons and which, incidentally, provides a multi-billion-dollar business opportunity for the U.S. arms industry. Wealthy Saudi Arabia pays in cash.

Three and a half years ago, Congress was persuaded to approve the sale of a "defensive" weapons package, including 60 first-class F-15 jet fighters, to Saudi Arabia at a price of more than \$4 billion. Now the Reagan administration is pressing Congress to approve a new \$8.5-billion arms package for Saudi Arabia to strengthen defense of its oil fields, pumping stations and pipelines.

The package includes:

Jet fuel tanks to extend the range of Saudi Arabia's F-15s, at a cost of \$110 million.

Eight DC-707 aerial refueling tankers to keep Saudi aircraft aloft even longer, at a price of \$2.4 billion.

1,177 AIM-9L Sidewinder missiles, among the most sophisticated weapons in the U.S. arsenal, for \$200 million.

Five Airborne Warning and Control Systems aircraft, whose advanced radar can detect and track attacking aircraft more than 150 miles away and identify them by type and nationality. These would cost \$5.8 billion.

In the shorthand of Capitol Hill, this arms deal is known simply as the AWACS package. It is the center of a seething controversy that concerns the pride of the Saudi royal family, the prestige of the presidency, the safeguarding of advance technology possessed only by the United States and concerns for the security of Israel.

It is a controversy that should not have arisen. Since it has, the Congress is obligated to deal with it intelligently. The emotionalism surrounding the issue makes that extremely difficult.

The House of Representatives voted by nearly 3-1 against the sale. The Senate Foreign Relations Committee voted 9-8 to recommend its disapproval by the full Senate. The Senate should accept that recommendation.

The emphasis on the AWACS portion of the package is misleading. Despite the protestations of Israel and her supporters in Congress, the AWACS aircraft themselves do not pose a threat to the security of Israel. It is other portions of the package that could, particularly extending the range of the F-15 aircraft and arming them with the advanced AIM-9L missiles.

That is not the main reason, however, why this sale should be abandoned. Most important is the question of the security of Saudi Arabia's oil production and supply. Granted there is some threat from the Soviet Union and its clients in the region, the \$8.5 billion that Saudi Arabia has been persuaded to spend is seriously misdirected.

The most ominous threat to the Saudi government, the ruling royal family and the nation's vast natural wealth comes not from the air but on the ground. The geography of the sprawling and thinly populated country makes its oil facilities far more vulnerable to ground attack or sabotage by foreign enemies or domestic dissidents. Improved internal security and better-trained ground defense forces would provide it with the greatest degree of protection, and a lot sooner than the AWACS umbrella scheduled to be in full operation around 1990.

Assurances that there is no danger of secret U.S. technology falling into unfriendly hands are unconvincing. The AWACS aircraft itself is a system that the United States has been willing to share with no one else, even the North Atlantic Treaty Organization, where it is in use with American crews.

More menacing is the likelihood that the superiority of the AIM-9L missile, touted as the best air-to-air weapon in the world, might be compromised by the theft of one or more of the 1,177 missiles that Saudi Arabia could claim as its own.

Even the assurances made to Israel are contradictory. Proponents of the sale insist that even if any of the weapons were to be used against Israel, its acknowledged military superiority in the region would render such an attack useless. Most recently, the administration has said it would provide Israel with radar jamming equipment. This comes from the same people who have sought to reassure us earlier that part of the AWACS superiority over any other system of its type is that its radar is virtually unjamable.

We reserve the greatest degree of cynicism for the manner in which the AWACS controversy was created in the first place. The issue with which the U. S. Congress is wrestling now was created by American military and industrial representatives of the defense establishment. It was they, not the Saudis, who arranged this marriage of strategic necessity and commercial opportunity.

The fact that it far exceeds Saudi Arabia's genuine needs is now subordinated to the prestige of President Reagan and the pride of sovereigns of sand-covered oil. It is a bad deal and the fact that President Reagan has unwisely staked his reputation on it does not make it a good one.

Genuine improvements in security for Saudi Arabia, Egypt, Israel and any other putative U.S. ally in the Middle East can be provided through a variety of joint arrangements, any one of which would be preferable to this ignoble arms bazaar.

And if Saudi Arabia is truly our foremost friend in the Middle East, those commitments to mutual interests in the Middle East should include genuine Saudi efforts in behalf of peace, not the public lip service it pays while providing covert financial support and overt ideological encouragement to Palestinians and Arabs who would make it impossible.

Mr. LEVIN. Mr. President, while I personally do not believe that we should cast our votes on any issue based on public opinion polls, I have often heard Senators present such polls as evidence to support a vote for or against a given piece of legislation. With that in mind, I should like the record of this debate to contain the following information which was published in the Washington Post of October 21, 1981. On that date, the Post reported the results of a poll they

had commissioned along with ABC News. Let me quote from a section of that report.

A majority of Americans are opposed to the sale of Airborne Warning and Control System radar planes to Saudi Arabia, largely because of a widespread conviction that Saudi Arabia is not a reliable ally.

Since the published report did not cite any figures to support this claim, I asked a member of my staff to contact the author of the article, Mr. Barry Sussman, and inquire about the figures. Mr. Sussman indicated to us that the actual results of the poll indicated that their sample opposed the sale of AWACS to Saudi Arabia by a margin of 50 to 37 percent, and he authorized us to make those figures public.

Mr. PROXMIRE. Mr. President, there is only one fundamental issue involved in the decision to sell Saudi Arabia \$8.5 billion in sophisticated radar aircraft and other equipment. That issue is simple and direct. Will the sale increase U.S. national security or harm it?

Everything else is of secondary importance. This decision cannot be made on the basis of Israeli security needs or Saudi security needs. It cannot be a reward for lower oil prices. Nor should we allow the lobbyists on both sides to fashion the outcome. They should be ignored.

Naked self-interest. That is the only relevant viewpoint.

Now let us examine the proposal itself. The sale does not just encompass five AWACS aircraft at \$5.8 billion. Most people are surprised to find out that it also includes \$200 million for 1,177 AIM-9L Sidewinder missiles; \$110 million for 101 sets of long range fuel tanks for the F-15's we sold the Saudis in 1977; and \$2.4 billion for 8 KC-707 aerial tankers. Outside the current deal, but associated with it, is a proposal for \$1.5 billion in upgraded ground radars.

The AWACS is a giant 30-foot radar on top of a Boeing 707 type jet. It has advanced computers and communications devices run by a crew of 17. By flying at a height of 30,000 feet, the AWACS can identify over 240 moving targets by size, altitude, speed, and direction. If the AWACS were flying over Madison, it could detect aircraft everywhere inside a circle linking St. Louis, Detroit, and Minneapolis.

According to the Chairman of the Joint Chiefs of Staff, the AWACS "offers the greatest single quantum jump in command and control capability since the development of radar . . ." It is the basis for our air defense plans for Europe and the United States where we virtually have neglected air defense for a generation. No other single weapon system is so critical to our conventional military capabilities at home and abroad.

Likewise, the AIM-9L Sidewinder is the most advanced version of that missile in our inventory. It can attack aircraft from any direction after firing. Ask the Libyans if it works. They lost two aircraft last August to the AIM-9L.

The fuel tanks for the F-15's double their range. When we sold the Saudis the F-15's in 1977, the Carter adminis-

tration pledged to the Congress that it would not sell them either the extended range fuel tanks or the aerial tankers. With that caveat, the F-15 sale went through. Now that agreement is being broken.

If the AWACS or Sidewinder missiles fell into unfriendly hands, it would be a disaster of enormous consequences for U.S. security. It would take years and many billions of dollars to recover from that loss. In the meantime our forces in Europe would be put in jeopardy and our plans for defending U.S. airspace could be disrupted.

Twelve U.S. fighter pilots have written the Congress pleading that we not give away the technology in the Sidewinder missile. They wrote:

The AIM-9L is so superior that it gives the American Fighter Pilot a believable chance of survival when confronted with the overwhelming numbers of Soviet aircraft we must face. If we are to maintain a credible deterrent defense posture with a minimum of dollars, why give our technological edge away?"

Why, indeed?

How likely is this to happen? Well, we sold the F-14 and the Phoenix missile system to Iran. Now we think it has been compromised to the Russians forcing us into a costly change of our missiles so the Russians cannot successfully knock them out. Without firm assurances and U.S. personnel on board, it would not be difficult for a terrorist team to fly the AWACS to Libya, Iran, Iraq, or the Soviet Union. Remember that the Saudis have experienced great problems with internal security. It took weeks just to dislodge the terrorists from the Grand Mosque at Mecca in November 1979.

But let us be fair to the Saudis. They need an advanced air defense network. There is a large country virtually exposed to hostile action from many unfriendly neighbors. The oilfields need protection from air attack. I agree with this assessment.

So what do we do? The same thing we do for Egypt and our NATO partners. Joint manning and U.S. control of the AWACS. We cannot take the chance of letting this technology be compromised. Only a U.S. presence and joint U.S. control will give us the security we need.

We have an arrangement with NATO for joint manning of the AWACS and, in any event, these aircraft remain under close U.S. control. The same goes for the AWACS currently in Egypt. Why not the same deal for the Saudis?

Unfortunately, they have given us a flat no. They will make no public or private agreement for joint manning or joint U.S. control of these aircraft.

Thus, the entire issue boils down to measuring U.S. security against Saudi security. And every time, no matter what nation is involved, the answer has to be—put U.S. security first.

It is a shame the Saudis have to be so unreasonable about this. But they have dictated the terms, and I cannot vote to place our defense plans at risk by agreeing to this sale.

● Mr. MATSUNAGA. Mr. President, I rise in strong support of Senate Concurrent Resolution 37, disapproving the proposed sale to Saudi Arabia of mili-

tary aircraft, including AWACS (Airborne Warning and Control System) aircraft, upgraded fuel tanks for the F-15 aircraft, and Sidewinder air-to-air missiles. It is my firm belief that this proposed sale to Saudi Arabia is not in the best interest of the United States.

The President's proposal, if not disapproved, would clearly jeopardize the security of Israel—our only stable, democratic ally in the Middle East. We must remember that Saudi Arabia has steadfastly opposed the Camp David peace process. Indeed, Saudi Arabia has explicitly and repeatedly called upon its Arab neighbors to join in a holy war against the Jewish State. To this end, Saudi Arabia has long provided financial and moral support to the Palestine Liberation Organization—a terrorist organization whose avowed purpose is the destruction of the State of Israel. Such opponents of peace should not receive our most advanced military hardware.

Mr. President, if the Saudis receive the AWACS, together with the Sidewinder and other equipment in this \$8.5 billion package, they would immediately possess vastly enhanced monitoring capacity, allowing them to detect every move that the Israeli military might make. Israeli efforts to mobilize troops for defensive purposes could immediately be detected by Saudi Arabia, and relayed to other states in the area that have a history of active belligerency toward Tel Aviv.

Let there be no mistake, I am in full agreement with those who say that the security of Israel should not be the only factor weighed in this decision, particularly in light of the world oil situation and current tensions with the Soviet Union. Yet, I fail to see how the United States would benefit politically or strategically by enhancing Saudi military capabilities through this arms transfer.

Only 3 years ago, Congress approved the selling of 60 F-15's to Saudi Arabia with the express understanding that their defensive range would not be extended. Now the Saudi Government is before us seeking more powerful and extensive weaponry. And what has the United States gained from its previous cooperation with Saudi Arabia? The answer is very little indeed. The Middle East is no safer, and our friendship with Saudi Arabia is no deeper. In fact, Saudi Arabia, which has never recognized the Camp David accords and, in truth, has labored to thwart their implementation, did not even have the diplomatic courtesy to send a delegation to pay its official respects to our late ally, Anwar Sadat. They were not alone in their callous insensitivity, of course, for they were joined by Syria and the Soviet Union, Qadhafi and the ayatollah.

This is the same Saudi Arabia which recently signed a letter that was circulated by the Cuban Mission to the United Nations accusing the United States of both "aggression against Libya" and "attempts to destabilize the independence and territorial integrity of nonaligned countries." Needless to say, these charges, so flagrantly false, drew an immediate and sharp rebuke from our distinguished Ambassador at Turtle Bay, Jeanne Kirkpatrick, who responded that she was

startled to find the Saudis among the signatories on such a document.

This is the same Saudi Arabia that has consistently opposed a U.S. military presence within its borders. And this is the same Saudi Arabia that has rejected numerous U.S. requests to use their facilities jointly or to establish military bases in cooperation with them. Even now, in spite of several considerate overtures from President Reagan, the Saudis refused to allow U.S. technicians aboard AWACS after the training of Saudi personnel has been completed. I might add, Mr. President, that not even our NATO allies operate AWACS without joint U.S. command.

The 1978 sale failed to alter or abate Saudi Arabia's staunch anti-Israel policies. Even with our aid and support through sales of military hardware, our influence with Saudi Arabia is so meager that we stand on opposite sides of numerous important issues, so basic to U.S. foreign policy.

Some argue that Saudi Arabia has been a moderating force in OPEC and that cooperation in this instance with that country will encourage continued moderation. On this point, I would like to emphasize that Saudi Arabia has, and always will, operate in its own best economic interest. The Saudis set their oil price at a level which will maximize profits now, and over the long run. It is as plain and simple as that. The sale of military hardware will not affect that cold economic fact.

Nor will this sale increase the security of Saudi Arabian oilfields from Soviet invasion. This upgrading of Saudi military capabilities will not deter a country with the military might of the Soviet Union. What it will do, however, is needlessly escalate the arms race in the Middle East and further aggravate the tensions in that troubled region. And let us not forget that the Saudis have gone on record time and time again as stating that their prime enemy is not the Soviet Union, but our ally Israel.

So, while the United States has little to gain politically or strategically, the United States has much to lose if this sale goes through. Chief among them is our military technology. It was not too long ago that the United States poured billions of dollars worth of advanced weaponry into a country no less stable than Saudi Arabia. That country, of course, is Iran. When the Shah's government fell, the Soviet Union gained vital information about U.S. defense weapons, including our premiere long range air-to-air Phoenix missiles.

But other defense secrets became available to the Soviet Union by reason of the Shah's fall, as well, including knowledge of electronics and missiles on the F-14 fighter, the improved Hawk surface-to-air missile, and our advanced antitank missiles. If the Soviets are able to penetrate Saudi military security, a likely possibility, they stand to gain military intelligence twice as damaging to this country as that revealed to them after the fall of the Shah.

Mr. President, the tragic assassination of President Sadat should remind us of the instability that prevails among many

of the regimes in the Middle East. The Saudi regime is, itself, weak and vulnerable.

Theirs is a country owned and controlled by a single solitary family. Numerous factions in that country, ranging from dissatisfied segments of the military to religious zealots, are shut out from power and bear the seeds of discontent and revolt. These facts cannot be ignored by the United States.

If the Saudi Government falls, the Soviet Union may again reap the harvest by gaining access to more of our vital defense secrets. It is our duty, Mr. President, to insure that we do not repeat our errors of the past by failing to remember them when we can have a bearing on the future. The United States has little to gain by permitting this sale. Yet, if we, by our action today, allow AWACS and the rest of this package to go through, not only will the security of Israel be directly threatened, but America's own defense could be seriously compromised as well.

Mr. President, AWACS is an extremely advanced warning system with very unique capabilities. It is, in fact, the most sophisticated technology of its kind. I urge my colleagues in no uncertain terms to place the interests of our own Nation and that of our proven allies first, and to reject this arms sale.

● Mr. GRASSLEY. Mr. President, from the time the President announced his intention to sell the so-called air defense enhancement package to Saudi Arabia I had grave reservations about the sale. At the same time, I felt that I had an obligation to myself and to the people who elected me to refrain from making a final decision until I had heard from both sides and weighed their cases with an open mind.

The end result of my consideration is that I have decided to support the sale by casting my vote against the resolution of disapproval. My main concern has always been with how the sale might affect the peace process in the Middle East. In fact, my initial feeling was that we should not agree to the sale unless Saudi Arabia would offer firm assurances that it would cooperate more fully in the Camp David process.

In thinking my position through, however, and after expressing my concerns to the President, I came to the conclusion that the sale will have a positive long-run impact on the peace process. First, by not undermining the President's credibility we will strengthen his role as an arbitrator in the Middle East. Second, the sale will underline to the Arab States that the United States is sympathetic to their legitimate concerns. Third, the sale should encourage Saudi Arabia to become a moderate nation and an ally of the United States.

My most serious concern initially was that the sale of the air defense enhancement package might have a negative impact on Israeli security. Due to the nature of the package I concluded that it does not present a substantial threat to Israel's security.

Another concern was with the possibility that sensitive technology might fall into the wrong hands. The Government of Saudi Arabia has agreed to

extraordinary measures to protect the technology on board the AWACS. It has also agreed to a number of restrictions on information sharing and operation of the aircraft. Most important, however, is the fact that the equipment that we are being asked today to agree to sell will not be delivered immediately. Thus, the President will have ample time to cancel the sale and deliver the equipment if events in the Middle East should take an unexpected turn in the next few years.

My decision to support the sale was not easy. Even now, I am not without reservations. Still, all things considered—our need to protect our access to oil resources in the Middle East, growing Soviet activity in the Middle East and North Africa, our need to establish a strong presence there and to work with friendly nations to establish a strategic consensus, and the need to strengthen the Saudi participation in the peace process—I feel that this sale is in the best interests of the United States. ●

● Mr. HUDDLESTON. Mr. President, today the Senate votes on one of the most difficult foreign policy issues to confront us in many years. The ramifications of our decision could have far-reaching effects on the peace and stability of the Middle East and therefore on the security of the United States, of Israel and of the free world.

The question is whether to approve the President's proposal to sell a package of air-defense enhancement weapons and equipment to Saudi Arabia.

I have decided to vote in favor of the sale.

I am convinced that the proposal is in the best interest of the United States. To meet that test, it was necessary for me to determine on the basis of all factors involved:

That Saudi Arabia had a legitimate need for increased defensive capability and the sale would contribute to meeting that need;

That the introduction of the airplanes, equipment and weapons would not constitute an increased threat to the security of Israel but had the real potential of enhancing that security;

That the sale would be consistent with and supportive of U.S. efforts to provide a credible defense force in the area to protect the legitimate interests of our country, of our friends in the area, and of our Western allies;

That the risk of compromising valuable advanced technology was minimal;

That the United States would maintain sufficient continuing involvement to prevent a breach of the agreement or improper use of the systems to the detriment of our friends in the area; and

That the transaction would improve the chances for peace and stability in the Persian Gulf area.

Taking these requirements separately, here are some of the points that persuaded me.

Saudi Arabia's defense needs are real and have been greatly increased by such events as the fall of the Shah of Iran, the Soviet invasion of Afghanistan, the Iran-Iraq war and the increased Soviet

and Cuban involvement in Libya, Ethiopia, Syria, and South Yemen.

With a large area and small population and armed forces, Saudi Arabia is ill-prepared to defend its widely dispersed oil-related targets.

Early warning and the ability to react to an impending strike are the essence of protective forces. AWACS and the additional ground radar will provide that early warning and direct the defensive attack.

The Sidewinder missile will enable the defenders to attack head on to stop the intruders before they reach the target area.

The conformal fuel tanks and aerial refueling tankers will enable the Saudi Royal Air Force to remain over the target longer and will permit the basing of planes at fields farther away from the targets for additional security.

The Iran-Iraq war and the recent strike against Kuwait have demonstrated that oil producing, refining and transportation facilities are likely targets.

Clearly a threat to Saudi Arabia exists, and clearly the sales package would help the Saudis meet that threat.

Still, if the proposed sale presented a threat to Israel or required extensive countermeasures on the part of Israel it would be counterproductive to the interest of the United States and violate our commitment to the security of our strongest ally in the region.

AWACS were designed for defensive purposes and have only limited offensive utility. To use it in concert with forces of other countries requires extensive joint training and compatible equipment in the participating countries—both prohibited by the agreement and with U.S. continuing involvement in maintenance and monitoring, highly unlikely.

If the sale is approved it would not materially affect the balance of power between Israel and its potential enemies in the area. Military experts believe Israel would still prevail over any other country or combination of countries which pose a threat. Israel's margin of superiority over its Arab neighbors has increased since the war of 1973.

If the sale is rejected, it is possible—even likely—that Saudi Arabia will turn elsewhere to obtain similar equipment without the restrictions we would impose. It is probable, too, that the United States would lose what leverage it has to advance the cause of peace between Israel and Saudi Arabia.

It should be remembered that in the last Israeli-Arab war Egypt and Saudi Arabia were among Israel's enemies. Now Egypt has signed a peace treaty. Improved relations between the United States and Saudi Arabia will certainly increase the likelihood that they, too, will take a more conciliatory and peaceful attitude.

That they have not fully supported the peace process to date is a matter of legitimate concern. On the other hand, they have not precipitated a confrontation and they have been cooperative and helpful in a number of ways.

A wise man once said, "If one makes a friend of an adversary, has he not conquered an enemy?"

It cannot be questioned that the United States has a direct security interest in the continued flow of oil from Saudi Arabia. It has been said that Saudi oil is not an economic luxury, it is a strategic necessity.

This was acknowledged by President Carter before a joint session of Congress in January of 1980 when he said that any attack on the oil production of the Persian Gulf would be considered an attack on the security of the United States and would be resisted by any means possible.

At the time, we had no means to protect an effective force in the area. We are only marginally better prepared today. We have increased our naval presence in the area, we have begun extensive expansion of our facilities at Diego Garcia—still a long way from the Persian Gulf. We have secured access rights to certain bases in the general area and we have begun the development of a rapid deployment force.

Having a compatible warning and communications system provided by the AWACS in Saudi Arabia would be consistent with and supportive of those efforts. The continuous information we would receive from the Saudi AWACS under the sales agreement could be crucial to our ability to properly respond to a hostile challenge.

Of course, the development of the Saudi capability to defend its own oil fields is a major contribution to our strategic goals in the region.

The deployment of advanced technology will fall into hostile hands and be compromised. But no persuasive evidence has been presented that that danger would be more than minimally increased by the proposed sale.

Five critical elements of the AWACS will not be included. The technology is already several years old and will undoubtedly be advanced considerably by the time of delivery in 1985.

Software and programming techniques will not be on the planes. Operation restrictions in the agreement further minimize the likelihood of compromise.

In the case of the AIM-9L missiles, they are already deployed in eight other countries including Israel. All of those countries except Israel have diplomatic relations with the Soviet Union which means a sizable contingent of Soviet agents operate within their borders. Saudi Arabia has no diplomatic relations with the Soviets.

Furthermore, the missile is produced in West Germany. Opportunities for Soviet discovery abound with or without the sale to Saudi Arabia. Also, our intelligence officials tell me that the Saudis have been exceptionally effective in protecting important information.

Of course, our highest technology has been compromised most often right here at home as recent espionage cases attest.

There can never be a guarantee, but after all, why do we develop sophisticated defense systems, if not to promote peace and security?

In my judgment, what little additional risk of compromise occasioned by the sale would be worth it.

Without joint operation in the air, is there enough U.S. involvement with

Saudis to assure enforcement of the agreement? Ground maintenance will continue for the life of the AWACS. We supply the spare parts. We conduct the training of crews in the air and on the ground until at least 1990. We receive the information picked up by the AWACS continuously. We monitor the operation. It does not take much imagination to see that we would have the ability to halt their operations in a short period of time.

The President has indicated that if actions during the 4-year period between approval and delivery warrant, the sale could be canceled.

Mr. President, my final point is that the prospects for peace and stability in the Mideast will be enhanced by the sale.

With the difficulties in Iran and the uncertain conditions in Egypt Saudi Arabia is the key to stability and peace in the region, as fragile as it may be.

While concern is expressed about the durability of the present regime, the fact is that it has ruled for 50 years. It has been sensitive to the needs and desires of its people. That is not to say that there may not be internal difficulties, but they will be better able to cope with those problems if they have confidence that they can deal with external threats to their security. The proposed sale will help give them that confidence and it will assure them that the United States is serious about being a dependable and helpful ally.

Mr. President, I believe the proposed sale serves our interest, the interest of our friends, the Israelis, and the free world.●

● Mr. ZORINSKY. Mr. President, the Constitution of the United States gives the President preeminent responsibility in the area of foreign policy. The basic reason for this is one of pragmatism—it makes no sense to substitute 535 different voices in the Congress for the one voice of the President.

Today, as the Senate considers the sale of AWACS to Saudi Arabia, sadly the choice is not between 535 different voices or one. The choice is yes or no. And that choice belongs in the Congress. The same Constitution which gives the President of the United States a preeminent role in foreign policy also gives the Congress of the United States considerable powers in foreign policy. It is part of what is known as the system of checks and balances designed by the framers of the U.S. Constitution to preserve democracy in our Nation. It is also part of what is known as the rules of the game.

The President knows these rules, and the Saudis know them too. The rules are not new. Major arms sales may be vetoed by the Congress of the United States, and this fact has been well known by all parties to this dispute years in advance of this particular proposal.

Some years ago, Mr. President, I was faced with one of the most difficult decisions of my term here in the U.S. Senate. President Carter, a member of my party, had sent the Panama Canal treaties to the Senate for ratification and had asked for my support. My Nebraska constituents were almost evenly divided on the question.

I resolved the dilemma by focusing on my responsibility as a U.S. Senator to reach a determination on what action best served the national security interest of the United States. Under our Constitution, that responsibility is no less incumbent upon a Senator than it is upon a President. Despite the President's personal plea for my support, I voted against that treaty because I believe it inadequately served the national security interest of this Nation.

Mr. President, I have been here long enough to see Senators come to Washington, and in discovering the national interest, lose sight of their States' interest. I have also seen Presidents come to Washington, and in discovering the international interest, lose sight of the national interest. There are no firm lines of demarcation in this area, nor any simple resolutions of the inherent conflicts among such interests.

So it is troubling to me today that so many arguments for or against this sale have been lost amid the repetition of a single and simplistic dogma: Support the President. As U.S. Senators we are committed to supporting the institutions of American democracy, among those the Presidency—but not necessarily a particular President on a particular decision. Another of those institutions is the U.S. Congress, and support for this institution requires that we not abdicate our individual responsibilities to any President.

With that as background I met this morning with President Reagan to discuss the AWACS sale. I listened carefully to his views, and told him frankly about my concerns. It was a good meeting, and I promised to do some soul searching this afternoon, giving every possible consideration to President Reagan's arguments. And that is what I have done.

During that process, I found myself pondering the warning of T. S. Eliot that "the last temptation is the greatest treason: to do the right deed for the wrong reason." Mr. President, I have decided that the right deed for the Congress is to approve the sale of AWACS to Saudi Arabia.

I have not made this decision solely in order to support the President, nor have I made it because several business interests have let me know of their belief that my reelection may depend on it. Finally, Mr. President, I did not decide to support this sale because I believe the sale, alone in isolation, serves the national security interests of the United States. I reached this decision for the reason, the right reason, that a rejection of this admittedly bad proposal would cause even greater damage to those interests.

Unlike the Panama Canal treaties, from which there could be no turning back, this arms proposal will not take effect for several years—years in which the Congress can move to stop this sale if the administration's assurances of increasing Saudi cooperation are not realized.

Mr. President, I regret that the administration has forced the Senate to vote on a proposal unlikely to produce any real winners. Regretfully, the adminis-

tration declined the advice of a majority of the Senate that it not send up this proposal. Faced with this unpalatable choice, and remembering the observation of Winston Churchill that "Eating words has never given me indigestion," I will reluctantly oppose the resolution of disapproval.●

Mrs. HAWKINS. Mr. President, I rise in support of the resolution of disapproval for the sale of AWACS, F-15 enhancement equipment and other military equipment hardware to Saudi Arabia. In arriving at this decision I have used only one criteria: Is the sale of this equipment a prudent thing to do? I have concluded it is not.

The United States should not sell its most sophisticated military equipment to Saudi Arabia because it is a politically unstable nation that has thwarted our vital foreign policy interests many times while helping us only rarely. The Nation will run grave risks if the Senate chooses otherwise. Saudi Arabian instability carries the risk that a new radical leadership will seize control of the country, one that we would not want to sell weapons of any kind to, especially high performance aircraft. And their record of opposing our foreign policy interests carries the risk that the past will be repeated in the future; new weapons are likely to be used in ways that block U.S. interests. Furthermore, because the equipment is sophisticated, there is added danger that we are selling the weapons that will one day defeat us.

I will document these points now in order.

Saudi Arabia is a country with tremendous internal problems. First, the Saudis lack a large or skilled domestic work force and are forced to import laborers. Indeed, over 40 percent of the workers in Saudi Arabia are foreigners. These people have no loyalty to the Saudi monarchy, and because of their poor working conditions they have engaged in demonstrations, some might be better termed revolts.

In addition, rapid modernization funded through petrodollars threatens traditional Moslem society in Saudi Arabia, the gulf between the rich and the poor is widening, and there is religious strife between the Shiite Moslems whose beliefs are similar to those of the Ayatollah Khomeini and the Sunni Moslems. Also, during the takeover of the Sacred Mosque in 1979, oil workers in the Al Qatif Province demonstrated in support of Khomeini and against the Saudi regime.

Combine this background with the palace intrigues of the 4,000 Saudi Princes, the ineffectiveness of the Saudi internal security forces, and discontent in the Saudi Army, and we must conclude that Saudi Arabia is an unstable country.

Mr. President, I have here a list of failed coup attempts, unsuccessful revolutions, and other signs that point to underlying discontent in Saudi society, and I ask that this list be printed in the Record following my statement.

(See exhibit 1.)

Mr. President, having established that

Saudi Arabia is unstable, I checked their record for supporting U.S. foreign policy interests. I have found that Saudi Arabia actions form a pattern opposed to American foreign policy in the Middle East.

For example, the Saudis provide heavy financial support to the Palestinian Liberation Organization (PLO), an organization that is known around the world for its terrorist activities. Also, the Saudis have given financial support to Iraq and Syria, two radical Arab States which have signed friendship treaties with the Soviet Union. The Saudis have opposed U.S. efforts to work toward a lasting peace in the Middle East through the Camp David peace accords. The Saudis attempted to thwart President Sadat's efforts to build peace between Egypt and Israel by cutting off aid to Egypt because of their cooperation with Israel. After American commandoes tried to rescue our hostages being held in Iran, the Saudi Government decried the rescue attempt.

The Saudis have consistently refused to allow the propositioning of military equipment or the basing of the U.S. Rapid Deployment Force on their soil—and have made it clear that they oppose any bases or facilities in the gulf for American troops. Finally, when two American aircraft recently shot down two Libyan aircraft in self defense over the Gulf of Sidra the Saudis in conjunction with several other gulf nations condemned this as an act of "medieval piracy."

I do not intend by this list of issues on which we have disagreed with the Saudis, sometimes strongly, to imply that we should not try to work with them on issues of common concern. I have appreciated the Saudi efforts to obtain a ceasefire in Lebanon and to defuse that crisis. I also recognize the relative moderation that the Saudis have exercised in oil pricing policies—though I believe that we should remember that they have raised the price of oil \$20 per barrel in the last 3 years.

Both of these decisions were in the best interest of Saudi Arabia, and that is why they have pursued them. The conflict in Lebanon finds Arab against Arab in a divisive battle that has frustrated Saudi attempts to build cohesion in the Arab world under Saudi leadership. And in the area of oil pricing policy Saudi Oil Minister Sheik Yamani said last month:

The oil prices must be brought down, if we can, or at least remain at the present level for a long period until we are able to hold back investors from searching (for) energy alternatives, and until OPEC restores its previous position.

Yamani is clearly reflecting Saudi interests which in this case coincide with U.S. interests.

On balance, the Saudis have consistently followed their own best interests, often consciously in opposition to the United States. To think of them as friends is to create something that the record does not support.

Mr. President, I ask that an article by Charlie Reese, that appeared Monday in the Orlando Sentinel, and that further documents these points, be inserted in the RECORD following my statement. (See exhibit 2.)

Mrs. HAWKINS. Mr. President, given the instability of Saudi Arabia and its frequent opposition to our foreign policy interests, it is not prudent to arm them further with powerful new weapons that could be compromised, or even used against us.

Recently, administration officials have downplayed the sophistication of the AWACS and other equipment included in the proposed sale. However, I think it would be helpful to remember what was being said about the AWACS as it was about to enter the Air Force inventory. On February 5, 1976, the Chairman of the Joint Chiefs of Staff, said:

AWACS offers the greatest single quantum jump in command and control capability since the development of radar and is therefore our number one general purpose forces priority.

About a year later, on June 29, 1977, Richard Guttman speaking as Director of the Systems Acquisition Division of the Government Accounting Office (GAO) said:

If the Soviets should gain access to the AWACS they could move ahead, in the opinion of the Director of the Central Intelligence (Agency), some five to seven years in certain technologies.

More recently Gen. George Keegan, former chief, U.S. Air Force Intelligence, said:

If you downgrade the equipment, as has been alleged is the intent of the current Administration, and we move the sensitive equipment, and leave only the 1960 radar technology, which the State Department is now characterizing as an ancient radar technology, the fact nevertheless remains that the radar aboard that aircraft, the basic radar and the original computer system, does constitute the most powerful radar system ever put into an aircraft.

Based on these statements by officials who are in a position to know the capabilities of the AWACS aircraft it is clear that the AWACS is a very sophisticated aircraft, and that the loss of its technology to the Soviets would be a disaster for American interests.

The AWACS are not the only sophisticated weapons system that the administration wishes to sell to the Saudis. Included in the sale package are a request for 1,177 AIM-9L Sidewinder missiles. The AIM-9L represents the third generation in the Sidewinder family of short range, air-to-air infrared (heat-seeking) missiles. The AIM-9L is a vast improvement over the AIM-9P-3 that is currently employed by the Royal Saudi Air Force. Among the improvements are a better seeker, increased maneuverability and improved warhead lethality. However, the most deadly improvement involves the "all aspect" guidance and control system which allows head-on attacks. Most heat-seeking missiles require the pilot to maneuver behind the hostile aircraft before launching his missiles—this missile obviates that need, and can be launched at a hostile aircraft from any direction, including head-on.

Mr. President, I have here a letter signed by 12 Air Force F-15 fighter pilots, urging us not to approve the sale of this missile to the Saudis, and I ask that this letter be printed in the RECORD following my statement.

(See exhibit 3.)

Mr. President, these fighter pilots, the men who would have to fight for air superiority for American forces if called upon, attest that the AIM-9L gives them a tremendous advantage in air-to-air combat and they do not want to take the chance of having that advantage compromised. In the closing portion of their letter, the fighter pilots ask a very relevant question—

If we, as a military force, are to maintain a credible deterrent defensive posture with a minimum of dollars, why give our technological edge away?

If AWACS equipment were compromised, it would be a severe setback for our strategic interests worldwide.

In addition to these concerns, I am concerned about contributing to a situation that could lead to a confrontation between Saudi Arabia and Israel in the event of renewed hostilities between the Arab nations and Israel. Three issues remain that might some day cause another Arab-Israeli war. First, the right of Israel to exist as a sovereign independent state. Second, a resolution of the Palestinian issue. Third, resolving the status of Jerusalem. None of these issues have been resolved to anyone's satisfaction, and thus the underlying causes of three Arab-Israeli wars continue to exist. Unless these issues are resolved to the satisfaction to most of the major parties, I believe that we must consider the likelihood of renewed hostilities in the region as likely. Saudi Arabia's role in the past wars against Israel has been indirect. It consisted of moral and materiel support.

The inclusion of AWACS in the Royal Saudi Air Force inventory changes all of this. If there were renewed hostilities against Israel, Saudi Arabia would come under tremendous pressure to use the AWACS against Israel just as they came under pressure in 1973 to embargo oil to the West. In 1973 the Saudis succumbed to the pressure, and I fear that they could succumb to this pressure again.

But even if they do not, the AWACS constitutes such an advantage to the air force that possesses one that the Israeli may feel compelled to attack the Saudi AWACS first and not wait for the Saudi decision to participate directly in the case of renewed hostilities just to make sure that they will not be used against Israel. In each of the last two Arab-Israeli wars air superiority has been crucial to the Israeli victory, and it is likely to be crucial in the event of any future hostilities.

Either of these scenarios would be a blow to American interests in the region. The AWACS could cause Saudis to be killed or wounded in any renewed fighting for the first time. This would more clearly and perhaps more permanently prevent a reconciliation of Saudi and Israeli viewpoint on the problems of the Middle East. And this would place the United States between two of the key Middle Eastern states—Saudi Arabia and Israel, perhaps damaging our relations with both. I believe that we should exercise foresight concerning this sale and not place ourselves in the position of being between two of the nations

with which we want to cooperate. This sale invites a clash between Saudi Arabia and Israel with the United States in the middle.

To conclude, Mr. President because Saudi Arabia is unstable, has opposed us often, and the risk of compromising AWACS' technology or it being used against our interests is great, I must vote for this resolution of disapproval.

I will feel no joy should this sale be defeated. I consider myself to be a strong supporter of the President's general foreign policy goals. However, the Constitution makes it clear that the Senate has an advice and consent role in the shaping of American foreign policy, and I believe that I could be derelict in my duty as a Senator if I did not vote for what I believe is the best interest of our country.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXHIBIT 1

MAJOR DISSENTS IN SAUDI ARABIA BETWEEN 1970-80

May 17, 1970—Air Force officers revolt at Dahrn air base, reputed to be Nasserites.

Feb. 11, 1972—National Guard officers and three sons of the deposed King Saud.

1974—University graduates in collusion with King Saud's associates, backed by Iraq. Arab communists led by Bassam al-Imari from Iraq.

Late 1974—University graduates, air force and armoured corps officers, with support from deposed King Saud family.

Nov. 1976—Arrest of 16 PFLP activists and deported.

July 17, 1977—1,500 plotters (1,300 military officers and men) in coup attempt at Tabuk and Taif air bases, to set up republican, non-aligned regime, with support of Libya, Iraq, and Hejazi Brotherhood (led by Namid Has-soun); suppressed by Jordan troops (3,000 confirmed) at Tabuk.

Aug. 9, 1977—Bomb explosions in Riyadh and Jeddah public and private facilities by Hejazi National Movement, with Libyan support, seeking self-rule for Hejaz.

Aug. 27, 1977—Coups by officers and men against air force commanders at Hall and Hufuf military bases, with Iraqi support; two leaders of Arabian Gulf National Liberation Front escape via Kuwait and Iraqi plane back to Iraq; coup put down by armoured columns led by Prince Turki.

Sept. 23, 1977—Verification that Saudi National Liberation Front (NLF) and Hejazi National Movement (hqs. in Mecca) are one and same and led by Saudis with Iraqi and Hejazi background.

Oct. 30, 1977—Officers at King Saud base tried to subvert the garrison.

Oct. 30, 1977—Interception of PFLP "hit team," including an Iraqi, with mission to kill King Khalid and his six Sudairi brothers; admit PFLP established itself in 1975 to await orders.

June 1978—Arrest of three Iraqis who worked for official Iraqi Airways but were working for Iraq Communist Party; arrest led to five more at Iraqi Mission in Jeddah and three working as engineers at Hall military installation; all had subversion missions.

June, 1978—Formation of al-Hasa National Liberation Front.

Late Sept., 1978—Sunni Hejazis demonstrated against bulldozing near Holy Shrine in Mecca; grew violent and led to killing of the Governor of Medina by Hejazis (Sheik Muhammad al-Hamid); Chief Engineer killed the next day.

Oct., 1978—Acknowledge resistance of foreign labor from especially India and South Korea, some of it very serious.

Oct. 29, 1978—Officer commanding Kharj military complex (French-built) defects to Iraq with 37 officers; refused to liquidate six weeks old al-Hasa tribal rebellion that occupied key oil and transport rail junction; Brigadier Mahmoud confronted by orderly al-Hasa National Liberation Movement, supported by Iraq, demanding autonomy.

May, Oct., Nov. 1978—Defection of troops to Iraq, Kuwait and Qatar from oil installation guard duty at Ras Tanurah, Dammam, Dharan; unpublished defections 4,175 since 1976.

Oct. 27, 1976—Deportation of five princes (Abdullah, Rashid, Abdul Aziz, Said, Turki—sons of late King Saud) in collusion with 24 senior officers at Hufuf, Shegra, 5th Amoured Brigade; latter commander escaped with conspiracy of air force officers to Libya.

December, 1978—1,100 officers threaten to resign because of surveillance system over their activities.

January 5, 1979—Grand Mufti of Mecca calls on Hejazis to oppose the imposition of Wahabite domination; admission of continued unrest among military forces and populace in Hejazi and al-Hasa Provinces.

Dec., 1978—Deportation of three Iraqi diplomats for aiding and abetting the al-Hasa and Hejazi dissidents; Iraq indicates 2,500 Saudi military personnel have defected to their side since 1975.

Dec. 21, 1979—Senior Sunni divine in Mecca, al-Sadi Sheik Muhammad Said Nawaf denounces Wahabite interpretation of Islam as being alien to true belief; denounced Royal Family for using force to gain power and ruling against Sunni majorities in al-Hasa, Hejaz and Shammar Regions; seek peaceful redress but if not heeded, take up arms.

Mar. 24, 1979—Discovery of Arab International Communist Party among foreign employees, working with Hassawi and Hejazi dissidents, with objective of overthrow of Saudi monarchy and establishing Arab Peoples' Republic of Arabia; led to list of Saudi Communist Party members (650 cadres) and leader Ibrahim al-Hamoud.

April, 1979—Prince Fawaz, son of late King Saud, with brothers in absentia, plotted coup with 100 air force officers and armoured forces commander at Diriyah military base; Saudi Air Force Deputy Commander and 17 co-conspirators defects to Iraq; Iraq and South Yemen implicated in plot.

May 11, 1979—10 air force officers at Jubayl used planes to attack Dammam and Dharan bases in coordination with army and armoured forces supposed uprising that gets leaked ahead of time and nipped in the bud; sponsored and supported by Iran under Khomeini at Kharj and Harad.

July 3, 1979—Turki Report accuses 43 princes in scheme against King Khalid; 21 subsequently formally charged and recommended for trial; supposedly implicates air force and army officers, civilian counsellors to Royal Family, and friends of the King.

Aug. 3, 1979—Simultaneous takeovers for Sharga air base, Tahuk, Kharj air base failed with intent to kill Royal Family, supported by Libya; National Guard defection scheduled at same time with first killings of superiors on Aug. 1 at Hall Camp, Gassim Camp, Medina City Camp; 118 personnel arrested expose National Guard infiltration and perversion.

Sept., 1979—Prince Sultan acknowledges 3,000 suspected air force personnel have been replaced by Americans.

Nov. 20, 1979—Sacred Mosque Insurrection involving Oteiba, Kharb and Shammar tribesmen, but also Egyptians, Yemeni, Kuwaitis, Moroccans and Pakistanis were killed in counterforce use; 3,000 dissidents involved

in whole area, representing Hejazi NLF, demanding full autonomy for whole area.

Nov. 22, 1979—Hejazi NLF occupies Great Mosque in Medina, Taif air base and military complex, the town (by 4,000 followers); fighting continues until end of November in Mecca and to mid-December in Medina and Taif; Anazah tribes also revolted with other Hejazi tribes.

Jan. 3, 1980—Three army air force bases raided by Public Security, arresting the commanding officers and 93 other officers (Huhuf, Abqalq, Mubarraz Garrisons); National Guard moved into bases to facilitate takeover by Public Security.

Feb., 1980—Refusal of 45% of Saudis sent abroad for military training in France and the United States to return home; decline in number of new cadets at Saudi Military Academy (1971—250 vs. 1979—37).

May, 1980—17 officers at Huhuf Garrison defected to Kuwait—including commanding officer; Iraqi influence in east coast of Arabia still of concern to Government.

Oct., 1980—50 air force officers executed after revolt effort.

Sources: Afro-Asian Affairs (as of 1980 Arab-Asian Affairs), International Currency Review, Middle East Intelligence Survey, Monthly and Bi-Weekly, 1976-1980.

EXHIBIT 2

Today at noon in Eola Park a group of Christians and Jews will gather to protest the proposed sale of AWACS to Saudi Arabia.

Congressmen Bill McCollum and Bill Nelson, both of whom voted against the sale in the House, have been invited to speak and Senators Lawton Chiles and Paula Hawkins, both of whom plan to vote against the sale in the Senate, are sending taped messages. I'm going to be there and anybody who wants to is welcome to come. The rally is sponsored by United Community Action for Israel.

Now, why in the world should anyone oppose the sale of AWACS—sophisticated radar planes—as well as offensive equipment including missiles to Saudi Arabia? A lot of people don't, including this newspaper and the president.

Some of the proponents of the sale, not including this newspaper but sadly including the president, have tried to argue that simply because the Israelis have registered their protest against the sale, that it is an issue of Israel trying to dictate American foreign policy. That is so absurd it's laughable. (The Israeli lobby has five lobbyists; Mobil Oil has 500 and it is only one of several huge oil companies lobbying for the sale.)

Saudi Arabia is no friend of the United States. It has raised its oil prices outrageously. It threatened—successfully, by the way—the Senate of the United States by declaring it would withdraw its money from American banks if a Senate committee continued its investigation of Arab investments. It also succeeded in bullying former President Carter into not filling up our strategic oil reserve.

It is a principal funder and supporter of the Palestine Liberation Organization which is a terrorist organization pure and simple and furthermore one which is Marxist and in the pocket of the Soviet KGB. Among other things, the PLO has been responsible for the murders of U.S. diplomats and denounces us as routinely as it does Israel.

Saudi Arabia, out of desperation, has been given credit for arranging a cease-fire in Lebanon, but the administration has not told the American people that during this cease-fire the Saudis have been shipping the PLO new arms with which to renew the war in Lebanon.

Saudi Arabia led the opposition to the Camp David peace accords, doing everything

it could to undermine the late President Sadat of Egypt.

The Saudis also denounced our attempted rescue of hostages in Iran as "an act of military aggression." It funded and hosted the Gulf Cooperation Council which branded our defensive action against two Libyan planes as "an act of piracy." They remain the cordial host of the African butcher, Idi Amin. They have called for a Holy War against Israel. They refuse to allow us a military base and have actively discouraged other Persian Gulf states from doing so.

In short, to cave in to their demands for our most sophisticated surveillance aircraft is to fall into the old pattern of rewarding our enemies. If you want to believe the administration when it says, "Well, in spite of all the Saudis have done in public, they say nice things in private," then I hope the Great Pumpkin finally appears for you this Halloween.

A second reason not to sell the aircraft is that their security is lousy. The State Department, the CIA and the Pentagon swore on their mothers' graves that the Shah's Iran was a stable country and sophisticated American technology would be safe. It was not. Compared to Saudi Arabia, the Shah's Iran was a Rock of Gibraltar. Come on down today and we'll tell you reasons 3 through 6 the sale is not in the national interests of the United States.

EXHIBIT 3

APRIL 2, 1981.

Representative TOM LANTOS,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE LANTOS: We are writing this letter to strongly object to the sale of the AIM 9L Supersidewinder air-to-air missile to Saudi Arabia. We primarily object to this sale because it compromises the classified AIM 9L construction. The unstable political situation in Iran and throughout the Middle East led to the compromising of our F-14 aircraft, Phoenix air-to-air missile, and our Hawk surface-to-air missile. We do not want the technology of the AIM 9L to leak to the Soviets through lack of security in Saudi Arabia or through some closed door bargaining session. We at the user level can attest that the AIM 9L thrusts the American Fighter Pilot a very large step ahead in air combat over any other military force. The AIM 9L is superior because it is a point and shoot weapon with excellent probabilities of success. The AIM 9L is so superior that it gives the American Fighter Pilot a believable chance of survival when confronted with the overwhelming numbers of Soviet aircraft we must face. If we, as a military force, are to maintain a credible deterrent defensive posture with a minimum of dollars, why give our technological edge away? Certainly, we as pilots cannot be expected to fight against the overwhelming numbers of Soviet aircraft equipped with a compromised version of our AIM 9L when we know how effective the missile is. We object to the sale of the AIM 9L to Saudi Arabia.

Signed by 12 Air Force F-15 fighter pilots. ●

● Mr. SCHMITT. Mr. President, thanks to the Soviet Union, and other nations and groups who believe that they benefit from international instability, the flow of modern arms into the underdeveloped nations of the world has reached unbelievable proportions. Unfortunately, if the United States ceased to help arm our allies and potential allies, the arms build-up would not stop. Others would meet the demand.

The best we can do in this atmosphere of insanity is try to maintain some influence over the use of arms by others. This must be done as we buy time for new foreign policy approaches that can help the people of the developing world move into

the economic 20th century and away from the poverty, ignorance, hunger and disease upon which oppression feeds. The sale of the AWACS and F-15 armaments to Saudi Arabia, on balance, buys us some of that time without significantly increasing the already great risks faced by Israel and our own defense forces.

The President has made clear, by word and deed, his unequivocal support for the security of Israel, the only strong ally of the United States in the Middle East. He has also made clear the absolute necessity of more Arab States following the course of moderation set by the late Anwar Sadat of Egypt if the security of Israel is to be guaranteed and peace is to someday prevail in that troubled region. Further, the President recognized the great dependence of the free world on energy resources from Saudi Arabia and other Middle East nations and the need to defend those resources until alternatives are available.

Finally, the President has insured that the technology encompassed by the arms package is either already available to our potential adversaries, or exposed elsewhere in the world, or protected by the nature of the computer software required to operate it.

Under these conditions, support for our President comes foremost.

An essential part of the plan to achieve security for Israel, peace in the Middle East and assurance of free world energy supplies, is a strong American presence and influence in those Arab States where there is an opportunity for moderation whatever may have been their course in the past. With U.S. help, Sadat made a break with the antagonisms of history. With U.S. help, others can make the same break.

The AWACS in Saudi Arabia will be under full U.S. control until late 1985 when the first Saudi-owned aircraft will be delivered. From 1986 to 1990, the period of delivery and training for other AWACS units, there will be joint United States and Saudi control. After 1990 the Saudis will still be dependent on U.S. spare parts and maintenance for AWACS as well as for the F-15 units whose sale was agreed to in 1978.

It is important to note that much of the AWACS capability can be supplied to Saudi Arabia without the guarantee of at least 10 years of effective U.S. control. In addition, the portions of AWACS capability which could be used for coordinating offensive operations are not included in the Saudi sale and remain under full U.S. control.

Although my initial bias is always to support the President's constitutional exercise of the Nation's foreign policy, I have made a special effort to assure myself and others that there is no significant increases in the risks faced by Israel or U.S. forces should the equipment or its technology be used against them or fall into Soviet hands.

First of all, the Israeli Armed Forces are at a state of operational capability, with superior men and equipment, which can easily defeat any hostile force launched against Israel by its Arab neighbors.

Second, the AWACS component technology is of 1960's vintage, its subsystem technology is close to that of the cur-

rent Soviet state of the art, and the total systems technology is dependent on computer software programs which in turn can be made obsolete by reprogramming.

Third, the AIM 9-L air-to-air missile for the F-15's already sold to the Saudis although the best in the world, is exposed to Soviet intelligence agents in many other situations. For example, it is in service or soon will be in service with the air forces of Israel, West Germany, the United Kingdom, Greece, Japan, and Australia, and is under license for manufacture in Europe by a consortium led by West Germany.

The President has assured me and other Senators that if the conditions of the Saudi sale are ever broken, U.S. support for the deal will be terminated. I think it is clear that this President keeps his word.

The conduct of foreign policy is primarily the responsibility of the President. So long as that policy follows the dictates of the law and recognizes the best interests of the American people, the President should be supported. Under such conditions, to not support the President would seriously undermine his credibility in the councils of the world and encourage further Soviet adventurism. ●

● Mr. CHILES. Mr. President, I have listened carefully to the discussion today on the concurrent resolution of disapproval, as I have followed closely the debate on this issue over the past several months. While I am cosponsor of the resolution I have continued to listen to all the arguments made by the administration and to seek the views of the people of my State. This is a difficult vote. It involves a number of very important considerations to this Nation, to the President, and to the goal of peace in the Middle East. I believe there are strong arguments both for and against the resolution. The choice must be made not on partisan or political considerations but in terms of what is best for the United States.

The Senate has a special role in the development of this Nation's foreign policy. While the President is obviously the chief formulator and administrator of our foreign policy, the Senate has a unique responsibility that it must meet. It is not enough to simply follow the President's lead. The Senate too must decide. As a Senator, I must make a decision whether the AWACS/F-15 enhancement package sale is a prudent step for our Nation. With due consideration for all the difficult questions involved, I must persist in my judgment that the sale will not serve the future interests of the United States or the cause of peace in the Middle East.

Regardless of all the claims advanced with respect to the limitations of the AWACS plane, I remain convinced that it is one of the most sophisticated pieces of technology in our defense arsenal. I do not want that technology to fall into the hands of any nation unfriendly to the United States. In fact, I do not believe that we can afford to allow any nation, even one well disposed toward us, to have unilateral control of this aircraft.

The introduction of this highly advanced equipment into the volatile Mid-

dle East threatens to jeopardize the security of the vital technical data associated with the airborne warning and command aircraft. One only has to look at the Iranian situation and the compromise of the Phoenix air-to-air missile to appreciate that this risk is very real.

The bottom line is whether there are compelling reasons to run the risk of this technology compromise. I think not. The administration points out the seriousness of the Soviet threat in the Middle East and I fully agree that this threat should be a primary concern for the United States.

I also agree that we want to help cooperating nations in their ability to counter hostile moves in the region. I do not agree that such help must include placing at risk our best technology. To my mind it just does not make sense to provide the Saudis with this complex equipment, which is of marginal usefulness in terms of the most likely threats to Saudi Arabia, and run the chance of compromising AWACS technology which is essential to both American security and the defense of Western Europe. If we do, I suspect it will be one of those decisions that we live to regret.

From the standpoint of U.S. security interests, the control and protection of AWACS must remain in U.S. hands. Frankly, I am not prepared to set in motion a process that opens the door to the possibility that a nation hostile to the United States gets its hands on the AWACS and may some day use it against us in a combat situation.

I have those same concerns with respect to the F-15 enhancement package, a crucial element in this debate which has received insufficient attention. Approval of the sale raises the danger of losing the advanced weapon technology contained in the AIM-9L Sidewinder air-to-air missiles. The AIM-9L missile incorporates advanced seeker and fuze technology which allows it to be fired at an enemy aircraft from any angle, rather than only from the rear.

The AIM-9L missile has been characterized as having revolutionary capabilities to fundamentally change aerial combat tactics. At present, the Soviet Union does not have the manufacturing capability to produce a comparable missile. In the event the Soviets were able to secure possession of any of the 1,177 AIM-9L missiles proposed to be sold to Saudi Arabia, it could well erase the technological edge we now enjoy.

In all of this debate, perhaps the most telling argument to me is the following correspondence to a Member of Congress signed by 12 Air Force F-15 fighter pilots:

We are writing this letter to strongly object to the sale of the AIM-9L Super Sidewinder air-to-air missile to Saudi Arabia. We primarily object to this sale because it compromises the classified AIM-9L construction. The unstable political situation in Iran and throughout the Middle East led to the compromising of our F-14 aircraft, Phoenix air-to-air missile, and our Hawk surface-to-missile.

We do not want the technology of the AIM 9-L to leak to the Soviets through lack of security in Saudi Arabia or through some closed door bargaining session. We at the

user level can attest that the AIM 9-L thrusts the American Fighter Pilot a very large step ahead in air combat over any other military force. The AIM 9-L is superior because it is a point and shoot weapon with excellent probabilities of success. The AIM 9-L is so superior that it gives the American Fighter Pilot a believable chance of survival when confronted with the overwhelming numbers of Soviet aircraft we must face.

If we, as a military force, are to maintain a credible deterrent defensive posture with a minimum of dollars, why give our technological edge away? Certainly, we as pilots cannot be expected to fight against the overwhelming numbers of Soviet aircraft equipped with a compromised version of our AIM 9-L when we know how effective the missile is. We object to the sale of the AIM 9-L to Saudi Arabia.

I will have to answer to a great many people for my vote on this matter. For our combat forces who may have to face the consequences of the Senate's decision, I want to answer that we were cautious and prudent and placed highest priority on U.S. security interests above all other considerations.

While I firmly believe that U.S. security interests must be the primary consideration, I acknowledge that there are other very important factors involved in this question. Most notable of these is the relationship of the United States with Saudi Arabia. It is an important relationship. The Saudis have endeavored to cooperate with the United States in a number of areas and have recently shown signs of moderation on the essential Mideast questions.

In the recent past the Saudis have also been a stabilizing influence on oil pricing although I note that a \$2-a-barrel increase appears to be in the offing. These movements by the Saudis are certainly steps in the right direction and should be encouraged. However, they do not make Saudi Arabia a firm and fast ally of the United States. If there is any lesson we can learn from our recent experience it is that you cannot buy friends, even with a massive weapons package. We sold the Saudis F-15's they wanted in 1978 and since that time oil prices have risen from \$12 to \$32 a barrel.

The actions of Saudi Arabia are motivated by national self-interest, not any other consideration. We would be naive to expect anything else. Whether this sale is approved or not, national self-interest will continue to be the guide-point of their actions. Rejection of the sale will certainly be a complicating factor but I doubt that it will cause Saudi Arabia to substantially veer from its present course. Nations rarely alter policies that work to their advantage in a fit of pique.

I also think a more balanced view of Saudi Arabia is necessary. This nation is not at this time an ally of the United States or a nation that can be viewed as supporting U.S. policies in the Middle East. Saudi Arabia continues to call for war against Israel.

Saudi Arabia does not support the Camp David peace process. The Saudis led the Arab boycott of Egypt because of its willingness to enter into the peace process. The Saudis have financed the activities of nations hostile to the United States. Saudi Arabia underwrites the PLO and its terrorist activities. A recent report in the London Daily Telegraph

indicates that Saudi Arabia "has agreed to give Syria nearly \$500 million to help finance a massive new arms deal with the Soviet Union, which will include two Soviet radar warning system planes." These are not the actions of a friend. A recent New York Times editorial aptly sums up the situation:

The Saudis are a commercial asset, not a strategic partner. They will not replace Iran in war games or Egypt in peace talks. Their useful opportunism should never be confused with alliance.

We do not somehow owe the Saudis this arms package because some of their policies have been useful and constructive. And I would hope that no credence be given to the argument that we must provide this equipment to the Saudis or face higher oil prices. If this deal is the quid pro quo for maintaining current pricing levels, it is a price too high to pay.

Even in the face of these considerations I am very reluctant to vote against the President on a question involving the conduct of foreign policy. I believe strongly that the Senate should support the President in his dealings with other nations. But the question before the Senate today is not one of support for the President. Under the Arms Export Control Act, the Congress is given a definite role in passing on the merits of proposed arms sales. The Senate must make its own determination whether the proposed arms sale, as presently conceived, is in the best interests of the United States. My judgment is that it is not and I must vote accordingly. ●

● Mr. GORTON. Mr. President, the receipt of the President's letter to Senator BAKER of October 28, 1981, provided the breakthrough necessary for the approval of the AWACS sale. It was, of course, the absolute precondition of my vote.

As one of the coauthors of the draft incorporated in the President's letter, with Senator QUAYLE, who agrees with my interpretation, I believe that paragraph 5 on "Command Structure" almost certainly will require that U.S. military personnel play an integral role in the command and control structure of the AWACS. It is difficult to imagine how the undertakings outlined in the first four paragraphs can be otherwise guaranteed.

The sixth paragraph on "Regional Peace and Security" seems to me to require, as a basis for the promised certification, a participation by Saudi Arabia in the Middle East peace process during the next 5 years. That participation will necessarily include either support for the Camp David peace process, recognition of Israel's right to exist, withdrawal of support for terrorist groups and activities, an end to the boycott of Israel, or the functional equivalent of these present goals during the course of the next 5 years. To the extent that I have contributed to this process, I am grateful for having this opportunity. I am authorized to say that the Senator from Indiana (Mr. QUAYLE) joins me in these views. ●

● Mr. GOLDWATER. Mr. President, an article in Aviation Week & Space Technology of October 26 presents a rather new and somewhat unusual approach to the subject of selling AWACS to Saudi Arabia. It is very well reasoned out, it shows some excellent research, and it is

written in a way that it is easily understood. While I know it will get into the RECORD probably too late to do any good, I ask to place it in the RECORD at this point in my remarks so that it will make a little more complete the record we are hoping to establish.

The article follows:

GULF COUNCIL VIABILITY LINKED TO AWACS

WASHINGTON.—Viability of the six-nation Gulf Cooperation Council (GCC) to defend the Persian Gulf area depends on the Reagan Administration sale of the Saudi Arabia air defense package, including the Boeing E-3A (AWACS) aircraft. The Senate is expected to vote on the sale this week.

The council is allied around Saudi Arabia, and the Reagan Administration believes that the group of Persian Gulf nations is showing signs of growing into an alliance friendly toward the West.

Recent meetings have strengthened the GCC concept, with evidence of defense collaboration among the nations—Saudi Arabia, Oman, Qatar, the United Arab Emirates, Kuwait and Bahrain.

"The Saudis have taken the lead in the formation of the GCC, with their objective the defense of the Gulf region," one Administration official said. "A meeting of defense ministers of the states in the council is expected soon, and military heads have already conducted their first meeting. There is no immediate plan for the U.S. to be directly involved, but it is an encouraging sign that the President and Defense secretary would like to nourish strong ties in the region through the package of AWACS aircraft, AIM-9L missiles and tankers."

The U.S. air defense enhancement package includes the sale of \$8.5 billion in equipment, with \$5.8 billion of that amount for the five AWACS aircraft and \$2.4 billion for Boeing KC-707 tankers using a common airframe with the E-3A. The Saudis want up to eight KC-707s.

White House officials directly involved in an intense effort to gain Senate approval said last week that President Reagan has decided to release a letter at the proper time informing the Senate that Saudi Arabia and the U.S. would cooperate in areas that will accommodate concerns expressed in the Senate on physical security of the aircraft, sharing of E-3A information and limiting geographical operations.

"The AWACS aircraft and its ground environment system afford the capability to link the air defense networks of these [GCC] states into a unified system," according to a Defense Dept. assessment. "Since the feasibility and effectiveness for such a regional network would depend on U.S. equipment and technology, the U.S. would be assured of a key role in the development of any regional air defense system and of continuing participation in its operation."

The Air Force lists the cost of each E-3A in its briefing to the Congress at \$1.7 billion, including three years of spares, support, equipment and training. It also includes a share of the cost of the ground environment system at \$2.5 billion that provides the capability to link the air defense networks of the GCC nations into a unified system, if approved by member countries.

The aircrew requirement for the five E-3As in Saudi Arabia would be 170 persons, with two cockpit and mission crews for each aircraft. The AWACS aircraft also would require 360 maintenance personnel, enough to permit Saudi Arabia to maintain a 24-hr. AWACS orbit for up to one week in periods of tension.

Each AWACS aircraft is being sold to the Saudis for \$190 million in then-year dollars without the spares, support, technical data and training. That included, the cost is \$240 million per aircraft. The remainder of the

cost for each aircraft includes the ground environment system.

The chairman of the Joint Chiefs of Staff, USAF Gen. David C. Jones, said he is encouraged over the six GCC nations working in defense of the Gulf region, adding that the AWACS aircraft would make a significant contribution in tying together air defenses.

Jones said the Gulf nations' alliance may work along the same lines in tying together an air defense system for common defense without the AWACS, but if the sale is approved, the aircraft would be a dominant element in such a system.

He said the Saudis have agreed not to pass along any information obtained with the E-3A to a third nation without U.S. approval, explaining that this is an evolving process, with considerable progress already accomplished.

The Saudis are taking a leadership role in seeking to ease tensions in the Iraqi-Iranian war, and generally there is a growing leadership role for Saudi Arabia in the region, Jones said.

"The AWACS aircraft would transmit data through U.S.-provided ground receiving equipment to provide early warning information to Saudi command centers and other elements of the air defense network," according to a Pentagon AWACS assessment. "The data from AWACS could also contribute to the control of air defense interceptor aircraft from friendly nations."

Defense Secretary Caspar W. Weinberger told Aviation Week & Space Technology the GCC is not as specific as a Gulf alliance, but he added that the Saudis need a much greater ability to defend themselves and AWACS helps provide that. He said events in the Gulf could turn so that it could become necessary for several friendly nations to join forces in an effort to save the Saudi Arabian oil fields, should they be attacked. But Weinberger stopped short of calling the association among the six Gulf nations an alliance or confederation along the lines of a small-scale North Atlantic Treaty Organization.

Instead, he stressed the importance of the Saudi AWACS sale because it is fully justified in the U.S. national interest. He said the U.S. has not levied controls on military aircraft provided to Pakistan, Egypt or Israel and should not do so in sales to Saudi Arabia.

"We are often viewed by many Middle Eastern nations as being responsive only to the wishes of one nation, and there are a great many nations there; certainly one is Israel," he said. "But there are many others whose friendship, support and alliance are very important to us."

In developing the GCC into a functional defensive alliance to protect Persian Gulf oil fields, the U.S. would lend technical leadership, according to studies by the Defense Dept. "AWACS would be the leading element of the system which would grow to include the ground radars from all the states. The establishment of a system of this type would facilitate joint training exercises and closer overall cooperation in defense. In time of crisis, the system could provide an invaluable basis for joint U.S.-Gulf state air defense against an aggressor," the studies said.

The Persian Gulf region is the primary source of the West's oil exports, with Saudi Arabia by far the largest producer, accounting for 63 percent of total Gulf production. Loss of the oil or prolonged denial would have a disastrous impact on the West's economy and undermine security, risking the splintering of NATO.

"The Saudis have indicated their desire to work toward an integrated regional defense system. The AWACS will likely increase their willingness to financially support upgraded air defenses for Bahrain, Qatar, Oman and other Gulf states. The AWACS sale also will encourage the use of U.S. equipment in other Gulf nations," the Pentagon studies said. ●

● **Mr. BAUCUS.** Mr. President, before I announce how I am going to vote on this resolution, I think it is important to provide first a brief background on the controversial resolution we have before us.

BACKGROUND OF RESOLUTION OF DISAPPROVAL

The 1974 Arms Export Control Act granted Congress veto power over proposed arms sales of more than \$25 million. Under that act, the House and Senate have 30 calendar days from the time they are officially notified of the sale to adopt concurrent resolutions of disapproval. Both Chambers must vote to disapprove the arms sale for the veto to take effect.

While Congress has never vetoed an arms sale, disputes between the White House and Congress over prospective arms package deals have resulted in significant concessions by past administrations. In 1975, Congress approved sales of antiaircraft missiles to Jordan only after the administration agreed to sell the weapons as stationary, rather than mobile weapons. In 1977, Congress agreed to the sale of seven AWACS to Iran only after then-President Carter assured Members of Congress that the planes had been modified to remove secret communications equipment. Eighteen months after the sale, the Shah of Iran was overthrown, and the administration canceled delivery of the surveillance planes.

In April 1978, President Carter formally notified Congress of his plans to sell 60 F-15 fighter planes to Saudi Arabia. At the time, administration officials stated that the armament sale would allow greater cooperation between United States and Saudi Arabia in furthering the Camp David peace process, moderating oil prices, and defending Saudi Arabia from the growing Soviet presence in the surrounding Arab States.

Responding to critics who questioned the administration's assurances that the F-15's would be used for defensive purposes only, President Carter and then-Defense Secretary Brown assured them that the Saudis would not be sold any additional systems or armaments that would increase the range or enhance the ground attack capability of the F-15's. The Senate defeated the disapproval resolution, thus permitting the sale of the armaments, with the understanding that no future attempts would be made to upgrade the F-15's. The first F-15's are scheduled to be delivered in January 1982.

On March 6 of this year, the Reagan administration announced its intention to sell air defense enhancement items to Saudi Arabia, a sale that many of my colleagues argued was a violation of the understanding the Senate had reached with the Carter administration.

Controversy over the sale erupted immediately, and centered on the surveillance aircraft, which was assumed to be the AWACS planes. In an attempt to diffuse arguments that the AWACS would be used to coordinate F-15's in an attack against Israel, the administration, in late September, attempted to persuade the Saudis to allow U.S. technicians to operate the surveillance equipment on the planes beyond the initial training period. The Saudis rejected the request as unacceptable and as an infringement

on Saudi sovereignty. Secretary of State Haig has testified, however, that there is an understanding between the United States and Saudi Arabia that U.S. personnel will be on AWACS into the 1990's due to the need for U.S. technical expertise in the planes' operation and the training of crews.

On October 1, Congress received from the Reagan administration a formal notification of the sale. Under the 1974 Arms Control Export Act, Congress has until October 31 to pass concurrent resolutions disapproving the sale. Earlier this month, the House voted by a nearly 3-to-1 margin to disapprove of the sale. The resolution of disapproval facing us today was favorably reported by a slight majority of the Senate Foreign Relations Committee earlier this month.

A PERSONAL PERSPECTIVE ON THE PROPOSED SALE

I have long been aware of the significance of the proposed sale. Indeed, it was of such concern to me that I decided to take a rare trip outside the United States to question some of the key actors who negotiated the sale. As part of the delegation of Senators led by a majority leader, I traveled during the Easter recess last spring to Saudi Arabia and Israel. I went there for one purpose, and one purpose only: Namely, to get the information I needed to make my own personal judgment on the wisdom of the sale. I went to the Middle East with an open mind. I asked what I thought were the pertinent questions concerning the justification for the sale.

When I returned from the trip, I was convinced that the answers I received to these questions did not, on balance, lead me to conclude that the administration was correct in its decision to approve the sale as it is now proposed.

I would like to outline my views on some of the arguments for and against the sale. But before I do, I would like to make a few observations about public opinion concerning the sale and the lobbying I have received on both sides of the issue. With respect to public opinion, I think it is interesting that this sale has engendered so much public awareness. Although some might argue that the United States is becoming increasingly isolationist, I think the public attitudes expressed about this sale suggest to me that our Nation and its citizens are increasingly aware of and concerned about international events.

Most of the polls I have seen lately indicate that the American public is rather evenly divided about the wisdom of the sale. While almost every poll I have seen indicates that a majority of people are opposed to the sale, I think it is fair to say that the plurality of Americans opposed to the sale seems to be eroding. I would guess that, at this very moment, the American public is divided about 50-50 on this issue.

The mail I have received and the calls I have taken from Montanans on this issue suggest that their attitudes are little different than the American public at large on this particular issue. The last time I counted my mail it was running slightly against the sale.

The lobbying on both sides of the issue has been for me an invigorating and inspiring process—invigorating because

there has been so much of it, and inspiring because the arguments by proponents and opponents have been so sincere and so well thought out. One thing I was particularly struck by throughout this lobbying process was the depth of good will that Saudi Arabia has instilled in the American people. This good will particularly shines through in the letters sent to me by Americans who have lived in Saudi Arabia and worked among its people.

I would like to insert in the RECORD at this point some letters which illustrate the thoughtfulness and sincerity of some of the people who have urged me to support the sale. These letters were most compelling to me, and I regret that the status of the proposal is not such that we could both accept and reject it. It is a decision not unlike that Solomon faced when he was asked what he was to do with allocating custody over a baby. For the moment, we cannot cut this proposed arms sale in half, just as Solomon chose not to cut the baby in half. Nevertheless, with the depth of good will presented on both sides of this issue, I cannot help but believe that the differences can ultimately be reconciled. I ask that certain letters in support of the sale be inserted in the RECORD at this point.

The letters follow:

SEPTEMBER 29, 1981.

HON. MAX BAUCUS,
U.S. Senate,
Washington, D.C.

DEAR MR. BAUCUS: As I returned from Bozeman to Saudi Arabia last week, I read in the New York Times that you are one of 46 Senators pledged to vote against the AWACS sale to Saudi Arabia. I am not fond of the idea of the U.S. as arms merchant, and there is much I dislike about Saudi Arabia. Nonetheless, I feel it is important that the AWACS sale be made for the following reasons:

Over the past five years the Saudis have proven themselves dependable friends of the U.S. Obviously we need their oil; through pricing and marketing decisions they have protected our interests against the other OPEC nations. We need to make a similar show of friendship to them.

The Saudi government is firmly anti-communist and anti-Russian expansionist. They are also leaders of the moderate Arab world. If the AWACS sale is not completed, they will lose perceived power among the Arabs and could be forced to join the hard-line Arab states, to turn to the USSR for aid or the royal family might be threatened by destabilization either by conservative anti-western Islamic forces, by Marxist groups, or by a coalition of these.

As leaders of the moderate Arabs the Saudis seem to be working with the U.S. for a solution of problems in Lebanon and with the European nations towards a Palestinian solution. Both solutions would ultimately benefit Israel. As far as Israel is concerned, I believe the U.S. must sell the AWACS to Saudi Arabia to counter-balance the concept of a special relationship between the U.S. and Israel in the eyes of the Saudis, the Israelis and the world.

I do not believe the AWACS—or the Saudis—constitute a military danger to the Israelis. The Saudi military probably does not consist of more than 60,000 men in the national guard and regular forces combined, and is far more concerned with protecting the highly vulnerable oil fields and extensive borders of Saudi Arabia than with attacking Israel. Crown Prince Fahd's call for a jihad, or holy war, with Israel has been highly publicized; what is seldom mentioned is that Fahd stated explicitly that this was not to be waged by military means but was

to be a "striving"—chiefly economic and political—by the Arab states. Further, knowing the Saudis had the AWACS might deter the Israelis from attacks like the recent ones on Damascus and the Iraqi reactor.

I hope you will consider this reasoning when you vote on the AWACS sale.

Sincerely,

ARNO BANKS.

HON. MAX BAUCUS,
Senate Office Building,
Washington, D.C.

I urge you to support the proposed sale of AWACS and the F-15 enhancement package.

I have lived in Saudi Arabia for over 20 years and am in constant contact with Saudi businessmen, the Government's Ministers and members of the Royal Family involved in Government. From my long association with this area, I can assure you that the proposed equipment will not be used for aggression but only for national defense. Saudi Arabia wants only to protect what is theirs. The arms package will serve as a deterrent against military adventure by neighboring countries. Saudi Arabia is a moderating force in the Middle East and steadfastly resists neighbors' efforts to force them to become an activist in the region's political and military contests.

The Saudi Government is stable, the public has direct access to the King, the Crown Prince, Regional Governors and Minister. The public exercises this access to voice opinions and make recommendations concerning Government programs, goals and regulations. The Government listens and acts to make the changes and improvements voiced by the people. The Government is democratic in action. The people are highly individualistic. They think and act very much like Americans.

Saudi Arabia has been a close friend to the United States for a half century. In recent years they have repeatedly demonstrated the value they place on this relationship by political and financial support. They depend on the United States for technology, political and defense support. In spite of pressures from less moderate neighbors, they have visibly aligned themselves with the United States. Due to external pressures, it is becoming more difficult for them to maintain this position. They have not been demanding in this relationship.

U.S. Government approval of the AWACS and F-15 package sale will provide Saudi Arabia a signal visible to their neighbors that they have not been foolish in casting their lot with the United States.

Because of some past disappointments with the United States, this occasion could very well be our last opportunity to show the Saudis that we value their friendship as much as they sincerely value ours. Their friendship for the United States goes beyond Middle East politics, oil and defense. It is truly heartfelt and not always pragmatic.

I am a patriotic American with a great love for my country. Many years of absence amplifies this feeling. I am asking that you support this issue for the benefit of the United States.

HUGH L. RENFRO,
Riyadh, Saudi Arabia.

OCTOBER 1, 1981.

HON. MAX S. BAUCUS,
The U.S. Senate,
Washington, D.C.

DEAR SENATOR BAUCUS: The purpose of this letter is to urge you not to vote against the AWACS sale to Saudi Arabia.

It was my privilege and duty to serve the U.S. Government three times in Saudi Arabia: as Vice Consul and then Consul, 1944-46; as Consul General, 1949-51; and as Ambassador, 1961-65. Since then, I have made many trips to the country in a private capacity. I yield to no one in my estimate of the Saudis as a force for moderation and peace

in the Middle East, and as a stable form of government in an inherently unstable region.

The internal structure of Saudi society may not be compared with that of Iraq, Syria, or Egypt, much less non-Arab Iran. Analogies drawn and predictions ventured from recent events in those countries are simplistic or false. Saudi Arabia has always been governed by devotion to Islamic law and a consensus of traditionally chosen leaders who, in turn, are responsible to their constituents. That responsibility derives not from formal elections but from a mechanism of consultation as old as Arab civilization and highly effective. Ancient in form, the system is fundamentally egalitarian and fundamentally popular. It is not arbitrary and it is not feudal, and those who so label it are either misinformed or ill-intentioned. The structure has survived many shocks in the modernization process. It is likely to hold for many years to come.

I was present when Saudi Arabia made its choice, right after World War II, for an American security relationship. It was sought by both sides, particularly by President Truman, who gave his unilateral pledge to Saudi integrity and independence on October 31, 1950. That pledge was invoked in 1963 by Crown Prince Faisal (later King) and honored by President Kennedy in dispatching an Air Force unit known as "Operation Hardsurface" to deter aggression by President Nasser of Egypt. From then to now, this special bond has served our mutual interests in stability in the region. Saudis keep their word and their military secrets. Defense technology has been progressively shared while training of Saudi officers has built up a reservoir of goodwill for the United States.

Moderation in oil pricing is only one of the by-products. Saudi Arabia has brought about a cease-fire in Lebanon. Behind the scenes (and behind the hyperbole customary in Arab public pronouncements), it has worked for a just and sensible peace between Israel and the Arabs. The "eight points" of Crown Prince Fahad's proposal are close to the Brookings Report of 1975, "Toward Peace in the Middle East," which has been a benchmark of American policy in the recent past. Saudi Arabia is the most anti-communist state in the entire region. It has been a powerful economic force against Marxism in Africa as well as the Arab world.

To veto the AWACS sale is to damage this 30-year relationship of trust and confidence. It will demonstrate that the U.S. cannot be relied upon, as in the past, to back its friends in the Peninsula and the Gulf, to protect a resource vital to us both. It will demonstrate that the U.S. no longer trusts Saudi Arabia to honor pledges of non-aggression and nontransfer of U.S. technology, while tolerating repeated Israeli violations of the terms of our arms deliveries. This double standard, Senator, cannot be explained away. On the floor of the Congress it may appear secondary, but my colleagues in the Foreign Service will be trying vainly to pick up the pieces for years to come. You cannot restore what is shattered.

The Israelis know very well that if we deny the AWACS sale, the Saudis will buy the rough equivalent from non-American, probably British, sources. There will be no American controls over the use of such early warning aircraft. The bottom line for the Israelis is and has always been not the AWACS or its associated systems, but the close alliance of interest of the U.S. with an Arab state which, per force, must strongly object to Begin's creeping takeover of the West Bank. From my direct observation at policy levels over two decades of service, I can affirm that Israeli political action in America has always sought to denigrate the U.S.-Saudi friendship. That is because Israel's governments have feared it will

dilute Israeli influence over our policy formulation. It is a shortsighted and egocentric approach. A nonexpansionist Israel is better off if the U.S. has good ties with the Arabs.

I respectfully urge that you not put your name to a measure which will do irreparable harm to a hitherto bipartisan policy of close friendship and cooperation in protecting our vital interests. It is now a question of who runs U.S. foreign policy in the Middle East, Reagan or Begin. Say what one will in the American political arena, that is how the U.S. will be judged in the world at large, where our isolation with Israel on matters of crucial importance is now almost complete.

Sincerely yours,

PARKER T. HART,

U.S. Foreign Service, 1938-69 U.S. Ambassador to Saudi Arabia, Kuwait, and Turkey; Assistant Secretary of State, 1968-69.

Mr. BAUCUS. Mr. President, once again, I mention these facts concerning polls and mail and calls, not because I think these numbers should dictate what my decision will be. Rather, I make note of it largely to underscore the growing public awareness and concern of Americans about our Nation's foreign policy.

I might also note here that when I hold town meetings in my State, I do not think I have ever been failed to ask how I make up my mind about how I vote and what role public opinion has on that vote. My answer to that question is that I look carefully to my constituents for their views on a particular issue to be voted on by Congress. I do so because it helps clarify my own views. But in the end, the decision has to be mine and mine alone. We do not have a plebiscite government, we deal with issues in the United States as a representative government. Or, to paraphrase Edmund Burke, the great English Conservative, as a representative of the people of Montana, I owe the people of Montana my best judgment. That is what I would like to render here today, as I set out to explain my views on the resolution of disapproval.

ARGUMENTS IN SUPPORT OF THE SALE

As I see it, there are roughly nine arguments being offered by the proponents of the sale. These arguments are:

We should help Saudi Arabia because Saudi Arabia is a strong American ally;

We should help Saudi Arabia because Saudi Arabia is a moderate voice among the Arab States and we should promote moderation in the Middle East;

Saudi Arabia is one of our largest suppliers of oil and we should take steps necessary to guarantee our supply of oil;

We should support the sale because it will help moderate future increases in the prices of imported petroleum;

We should approve the sale because it will enhance the peace process between Israel and Egypt;

We should support the sale because it will help insure the stability of Saudi Arabia;

The proposed arms sale will not endanger the security of Israel;

The proposed arms sale will help protect Saudi Arabia from its neighbors;

The technology of the arms to be sold will not be jeopardized by this sale.

ARGUMENTS AGAINST THE SALE

The nine arguments are compelling, but I believe that the arguments in opposition to them are more compelling. Let me take each of the arguments of the proponents in the order presented. Some of them have no real counter-arguments.

For example, I think it is indisputable that the proposed arms sale will help our ally, Saudi Arabia. Certainly, one can argue that Saudi Arabia has not been our best ally, but on the other hand, it certainly has not been our worst ally, either. Also, while I think it can be most compellingly argued that the proposed arms will not really provide an adequate defense to the real threats against Saudi Arabia, I think it is fair to say, if the United States continues to provide a defense of the Persian Gulf, the proposed arms would be of some help to the Saudis.

Similarly, I believe the proposed sale would be of some substantial assistance to the Saudis in demonstrating its leadership among Arab States. I came away from Saudi Arabia with a distinct impression that the arms sought by the Saudis were needed as much to bolster the prestige of that government among other Arab governments as it was for the actual security of Saudi borders.

I do not mean to denigrate or patronize Saudi officials, but I cannot help but relate to you that throughout my trip the old aphorism that "the only difference between men and boys is the price of their toys" continued to ring in my mind.

In short, although it is true that the proposed sale would help an ally, and would probably enhance Saudi Arabia's prestige among Arab nations, I do not think that is the basis upon which this sale should be judged. Instead, the critical question for our Government to ask is whether this \$8.5 billion arms sale is needed for the security of Saudi Arabia and the defense of the United States.

Before getting to the defense elements of the proposed sale, let me address four other arguments offered to support the sale. Many of the sales proponents suggest that the delivery of these armaments to Saudi Arabia would help guarantee a supply of foreign oil to the United States and it would militate in favor of continued moderation of price increases of foreign oil. As I mentioned at the outset of my remarks, when the U.S. proposed to sell F-15's to Saudi Arabia, it was argued then that one of the principal underlying policy reasons was that it would help moderate the price of oil. Since that sale was approved, a scant 3 years ago, the price of Saudi Arabian crude to the United States has nearly tripled from \$12 a barrel to \$32 a barrel.

Similarly, while some would argue that the delivery of the armaments proposed in the sale before us would help guarantee the supply of oil, I believe that the availability of oil depends more on the self-interest of the seller than the seller's concern about the buyer. The fact that we are a substantial importer of oil from Libya is certainly evidence in support of the self-interest argument. Perhaps the Wall Street Journal said it best when it said:

This theory fails to take into account why, if the Saudis are so determined to please, they are equally determined to cut back production so as to keep the price from falling in a free market below \$32. The explanation can only be that the Saudis are determined to make the biggest bucks they can as fast as possible, by holding out for as high prices as they can get while protecting their enormous market share. . . . Nothing's wrong with such a motive. It's what any rational person would do if he held a dominant position in a cartel like OPEC. . . . In any event, nothing in the Saudis' behavior can be construed as altruism toward the West. We are not dealing here with a nation making sacrifices to bolster in some sentimental way the order America supports. We are dealing with a nation, which like others, adheres to its self-interest. . . .

I have also heard from many of the proponents of the sale that, as was argued in support of the 1978 proposed sale of F-15's to Saudi Arabia, these armaments would help the peace process in the Middle East move forward. This argument ignores Saudi opposition to the Camp David peace Accord, funding of the PLO, and the Arab rejectionist front, and the undermining of Anwar Sadat. It also ignores the real role that Saudi Arabia most recently played in the Syrian missile crisis earlier this spring. At that time, my colleagues will recall that Syria escalated tensions in Lebanon by deploying six batteries of surface to air missiles. To lessen tensions in the area, our Nation dispatched a special Ambassador, Philip Habib, to meet with Middle Eastern leaders. When Habib met with Saudi leaders, they made it quite clear to him that Saudi Arabia supported the Syrian moves in Lebanon and rejected any mediatory role.

Similarly, Saudi Arabia has always made it clear that it supports the Palestinian Liberation Organization. The most recent estimates I have seen suggest that the annual support supplied by Saudi Arabia to the PLO is roughly \$300 million a year.

Saudi Arabia has repeatedly called upon other Arab Nations to join in a holy war against Israel. Its contempt for the Camp David peace process is well known. The Saudis led the Arab boycott of Egypt because of its peace treaty with Israel and continues to finance PLO terrorist activities against Israel. It is difficult for me to believe, as the administration would like, that further arms sales would cause Saudi Arabia to moderate its anti-Israel and anti-Egypt stance. The 1978 sale of F-15's did not moderate Saudi Arabia's attitudes toward Israel or the Camp David accord. Notwithstanding the recent publicity given to the so-called Saudi peace plan, which has been praised by Arab Governments and some European leaders, I believe that the anti-Israeli attitudes of Saudi leaders have not moderated.

I also reject the argument that the proposed sale would help enhance the stability of Saudi Arabia. Assuming that an appropriate element of American foreign policy is to shore up the internal stability of our allies—an assumption I am not prepared to make, given our unfortunate experiences in propping up un-

stable governments in South Vietnam—I do not believe the proposed sale will affect that stability one way or another.

Indeed, I cannot help but think the sale of sophisticated equipment to a government as unstable as Saudi Arabia, would endanger, rather than promote U.S. interests in the Mideast. The recent assassination of Anwar Sadat by religious extremists, the Iranian revolution, and Shi'ite uprisings in Saudi Arabia itself underscore the instability of an area in general and in Saudi Arabia in particular.

As a result of its rapid modernization program, Saudi Arabia is experiencing the same religious and political polarization that occurred in Iran before the overthrow of the Shah. On this particular issue, I would like to commend my colleague from Missouri, Senator EAGLETON, for pointing out to this body the reservations that he expressed concerning the proposed sale of AWACS to the Shah and the consequences it would obtain from such a sale.

For the last few minutes, I have been addressing what I view to be the five non-defense or diplomatic arguments for the sale. Let me now turn to the three defense related arguments.

Proponents for the sale argue that the arms to be supplied to Saudi Arabia would not endanger Israel. While I do not know for sure whether Israel will be jeopardized, I do believe that on balance, the evidence suggests that the threat to Israel is real and not imagined. To begin with, the sale does raise serious doubts about U.S. commitments to Israel's security. The AWACS and other equipment in the arms package are part of a system that, when integrated with F-15's, forms a formidable defensive unit. The AWACS is central to that unit, because it can dispatch enhanced F-15's at a moment's notice and coordinate an attack on all fronts, from land, sea, and air.

Should technology on ground stations and communications equipment being sold to the Saudis fall into the hands of the Soviets, it could be used to create communications linkups with other Arab nations, all of whom could join a concentrated attack on Israel. Even if the technology does not fall in the hands of the Soviets, given the role that Saudi Arabia played in previous Arab-Israeli wars, I cannot help but conclude that the potential threat against Israel is real. Also, I must again point out that the sale of the equipment to extend the attack range of Saudi F-15's violates the Carter administration guarantees to Congress that those airplanes would not be given offensive capabilities.

I should also point out that, in my judgment, the proposed sale, if approved, will likely escalate the arms race in the Middle East. If Israel is truly threatened by the AWACS sale, as I believe, the administration will ultimately feel obligated, as some have reported, to offset the threat by providing Israel with F-16's or access to spy satellites. Saudi Arabia, on the other hand, could be encouraged to request more weapons, as I suspect they will, including the multiple ejection bomber racks for the F-15's.

Mr. President, while no one disagrees with the need to protect Persian Gulf oil supplies or counter the increasing Soviet presence in the gulf, I believe it is unreasonable to assert that by pumping more and more arms into an unstable Arab State, we will more effectively defend against further upheavals. The sale could eventually embroil the superpowers in a war.

I have also heard that the arms package, if approved, will reduce Soviet influence in the region by increasing the security of Saudi Arabia. I am more convinced that the major threat to Saudi Arabia is internal, not external. If there were a Soviet attack or a Soviet-inspired attack by one of Saudi Arabia's neighbors, the AWACS package, operated by Saudi technicians, would be of little use. The Saudi Army, for all of its advanced weaponry, is small and undertrained. The Saudis understand this, and I would hope that if the sale is disapproved, U.S. officials will be able to negotiate with Saudi Arabia a satisfactory and workable and noncompromisable defense assistance pact for the future.

The final argument I would like to deal with is that the proposed sale, if approved, would in no way jeopardize the security of the technology we are transferring. For those of you who will recall the anxiety expressed by our military experts when not all of our equipment was properly destroyed when we aborted our military mission to rescue our American hostages in Iran, I would simply suggest that the loss of an AWACS plane is likely to be more damaging to our security than the destruction of a few helicopters in the Iranian desert. Or, as one of my colleagues recently suggested, if the technology involved in the sale is not all that great, why are we charging \$8.5 billion for it?

SUMMARY

Mr. President, in summary, I would like to say that I plan to vote against the proposed sale today because I believe that the decision to provide sophisticated weapons to such an unstable government is misguided, that it increases the possibility of secret technology falling into unfriendly hands, that it endangers the security of Israel—the only stable U.S. ally we have in that region—that it will not increase Saudi Arabia's security or improve U.S. credibility as an ally, and finally, that it would further escalate the Mideast arms race.

CONCLUDING THOUGHTS

I would like to make one final point about the handling of this issue by President Reagan over the past few days. The papers back in my home State are carrying stories that suggest that a vote against AWACS is nonpatriotic. These stories say that President Reagan declared that Senators who refuse to see the benefits in the sale for the United States and for Israel are "not doing their country a service." I take strong issue with that statement. As I waded through all the arguments for and against the sale, the most important principle I used to guide my judgment was what I thought to be the best interest of the United States.

Some people might have us believe that

the point of this debate is to vote on who is our better friend: Israel or Saudi Arabia. I reject that formulation of the issue, for both are friends of the United States. And even if one was a better friend than another, by any particular measure, I would suggest that friendships tend to be ephemeral. In the course of my lifetime, remembering that I am one of the younger Members of the Senate, we have had allies become enemies—for example, Russia, Iran and Cuba—and we have had enemies become allies—for example, Japan, Germany, and Italy. Indeed, we have had some nations, such as Egypt and China, who have switched from friend to foe to friend again in the space of just 40 years.

I am not suggesting that we should not make decisions on the basis of who are our friends; rather, the overriding consideration in our policy judgments should be what is best for the United States. That, I say again, is the principle that guided me in formulating my conclusion on this critical issue.

I have tried to set out today why I have concluded that the delivery of these arms are not, on balance, ultimately in the best interest of the United States.

I would also argue that I am not persuaded that the sale should be approved because the United States should speak as a single voice. Our forefathers intended that its representatives play a role in the formulation of foreign policy. The Senate is required by the Constitution to advise and consent on certain foreign policy actions. We are not required to approve all actions; rather, we are faced with the responsibility of whether to approve or disapprove such actions. The same task confronts us today, and I would argue that we should disapprove this action.

Finally, when we are called upon by the President to approve the action because his prestige as the leader of the United States is on the line, I cannot help but recall that before President Reagan was elected to this high office, he argued for defeat of the Panama Canal Treaty, a treaty negotiated by six previous administrations, and he opposed the SALT II agreement, a treaty negotiated by three previous administrations.

While I would agree with them that our relations with other nations would probably be more predictable and perhaps more stable if our Nation always spoke with a single voice, I would also like to point out that we are a nation of checks and balances, a nation of divided opinions, and a nation that has in operation the longest active constitutional form of government in the world today. Or, to paraphrase the late Winston Churchill, "our form of government may not be the most predictable or the best understood, but it is the best and most fair form of government in operation on this globe."

The PRESIDING OFFICER. Under the previous order, the Senator from Oregon (Mr. Packwood) is recognized for 30 minutes.

Mr. PACKWOOD. Mr. President, in considering the arms sale package, it should be clearly borne in mind that any action we take in the Middle East,

whether it be this arms sale package or otherwise, should lend itself toward the furtherance of U.S. policy in the Middle East. Therefore, before going further, it would be wise to state our policy.

Mistakes often are made because different parties assume different goals. Unless I am mistaken, the goal of this administration, as it has been in past administrations, and of this and past Congresses, in the Middle East is twofold.

First, peace among the states in the Middle East who—we hope—will then form an anti-Soviet salient, and

Second, keeping oil flowing from the Middle East to the West.

Now ask yourself four questions when you consider whether we move toward those two goals—peace and oil—by going forward with the arms sale package to Saudi Arabia.

Those four questions are:

First, are the interests of the United States—peace and oil—best served by the large-scale arming of the Middle East powers, including Saudi Arabia?

Second, is Saudi Arabia competent or willing to act as the linchpin to guarantee peace in the Middle East?

Third, is Saudi Arabia willing to sustain continued production of oil satisfactory to U.S. needs?

Fourth, would the United States be better advised to adopt alternative means to achieve its goals?

I.

Let us take the first question first.

Are the interests of the United States—peace and oil—best served by large-scale arming of the local powers including Saudi Arabia?

No one would seriously suggest there is peace in the area today. Iran and Iraq are at each other's throats. Likewise Ethiopia and Somalia. Ditto for Libya versus Chad, Egypt, and the Sudan. Syria occupies Lebanon as a conquering power. There is no other area of the world living in such a continual state of siege and warfare. Are they at war because of a lack of arms? If so, would an increased supply of arms bring peace?

A recent United Nations report stated that five Middle Eastern nations—Saudi Arabia, Jordan, Syria, Iraq, and Iran accounted for one-third of all the weapons imported by the developing nations from 1977 to 1980. Saudi Arabia alone has the sixth highest arms budget in the world and far and away the highest per capita arms budget. This does not count the money Saudi Arabia supplies to the other Arab countries and the PLO for their arms purchases. No, there is no dispute the Middle East is already well armed and at war. The question is this: Is there any reason to think that if they are even better armed, there will be less war? Reason and history deny that conclusion. Therefore, the U.S. goal of peace in the Middle East will not be furthered by more armaments in the Middle East.

However, the United States has another goal in addition to peace—oil. Should we be willing to escalate the existing warfare in the Middle East if, in exchange, we get oil? To put it more bluntly, should we be willing to increase death by war in the Middle East in ex-

change for oil in the United States? That question needs to be faced, however, only if you presume that escalated warfare will insure the flow of oil. Again, reason and history dictate otherwise.

Nations armed with only Springfield rifles and aging machine guns may kill many people but they are not likely to damage many pipelines, wharfs, ships, refineries, and all the other accoutrements necessary for the modern supply of oil. But nations armed with state-of-the-art fighter-bombers and tanks and artillery will not limit their fighting to rural villages. They will do whatever is necessary to wreak havoc on the enemy. The surest way in the Middle East to do that is to destroy the very resource that provides belligerents with the cash to buy arms. That resource of course is oil.

Iran and Iraq have conclusively demonstrated what well armed antagonists will do. They will bomb and destroy each other's oil producing facilities. Iran and Iraq have done that, and oil production and the concomitant flow of oil to the West has dropped dramatically in both countries.

Prior to the start of the Iranian-Iraqi war, Iraq reached a production high of almost 3½ million barrels of oil a day. Today it has dropped close to 1 million barrels. Iran, which had reached a high of 6 million barrels a day of oil production under the Shah, saw that fall to approximately 3 million barrels a day after the Shah was deposed. Today that number is closer to 1,600,000 barrels. The decline of the production of oil in Iran and Iraq can be traced directly to the bombing, shelling and other damaging of each other's oilfields. They could not have done this had they both not been armed with the most modern weapons of war.

Arming the Middle East, therefore, will produce neither peace nor oil.

II.

Assuming that going forth with the arms sale package will guarantee neither peace nor oil, the argument still maintains that failure to go forth also does not guarantee peace nor oil. Therefore, we should run the risk anyway, make the sale, and premise our hopes on Saudi Arabia becoming the keystone of U.S. policy in the Middle East.

Therefore, if we decide to supply large-scale armaments to Saudi Arabia, we must ask the second question:

Is Saudi Arabia either competent or willing to guarantee the peace necessary to establish an anti-Soviet salient in the Middle East?

Saudi Arabia has a native population of 4 to 5 million and about 2 million foreign workers and their dependents. The foreigners are a source of instability rather than stability.

The Saudi armed forces number about 100,000 of which the army numbers about 65,000. Most of the military is unlettered and unschooled. Certainly they are not able to cope with the technicalities of the modern weapons of which Saudi Arabia already has a surfeit.

The Saudi armed forces have not known combat for 50 years and even before then, only as tribal irregulars.

Our only notice of their military was in 1969 when an extensive conspiracy against the ruling house was uncovered and in 1979 when it took 3 weeks for the military to subdue a handful of fanatical tribesmen who seized the great mosque. Many arguments have been made for the arms sale package to Saudi Arabia. One of them is not that the Saudis are or will become a great fighting force.

Also, it should not be assumed that the Saudis are evenhanded in their views about a foreign military presence in the gulf area. While the Saudis are fond of saying that the security of the area lies solely with the states in that area, their actions indicate otherwise.

For example, Saudi objection was the principal reason for the U.S. decision not to supply modern aircraft and weapons to North Yemen in 1978 and 1979. It was little noted that North Yemen has a population larger than Saudi Arabia, has a historic dislike of Saudi Arabia, and has an army well conditioned by years of recent fighting.

Additionally, Saudi Arabia expresses vehement opposition to the granting of military facilities to the United States by such countries as Egypt and Oman.

On the other hand, the Saudis have never denounced the treaties of cooperation between the Soviet Union and Iraq and Syria. These treaties give the Soviet military air and naval facilities in those countries.

In May of 1981 at the Gulf cooperation council, the Saudis rebuked the sultan of Oman personally for granting facilities to the United States. The conference then went on to a statement affirming their absolute rejection of foreign interference in the region from any source. There was not a single word in the communique about the quasi colonization of South Yemen by the Soviets or Soviet bases in other Arab countries.

No, it is clear that Saudi Arabia does not have an evenhanded policy on foreign military presence in the area. It tilts against the United States. But even if Saudi Arabia tilted toward the United States, it is not competent to stop any Soviet threat through the Middle East. Its population is too small, its army too meager and untrained, and its leadership among other nations in the gulf too fragile to lead the Persian Gulf States into a pro-United States-anti-Soviet stance. It is therefore clear that Saudi Arabia's military capability is such that they are not competent to guarantee peace in the Middle East and their action, in any event, guarantees they are not willing to guarantee peace.

iii.

Despite the fact that the Saudis cannot or will not keep the peace, should we sell them the arms anyway in hopes of keeping the oil flowing to the United States? This poses the third question:

Is Saudi Arabia willing to sustain continued production of oil satisfactory to U.S. needs?

The decisions of Saudi Arabia concerning oil are not determined altruistically, much as we might wish to think so. Those decisions are made on the basis of what level of production best serves

the interests of Saudi Arabia. Why we or any other country should expect them to act otherwise baffles me.

Every country bases its decisions, foreign and domestic, on what it thinks is best for it. Saudi Arabia is no exception. Sheik Yamani, the Saudi Oil Minister, on several different occasions has indicated the factors which determine their oil production. Quotes from two are instructive.

The first is from a speech on January 31, 1981 at the University of Petroleum and Minerals, Dammam, Saudi Arabia. A questioner from the audience asked:

The Saudi citizen who looks at his country's current oil policy finds that the country is producing more than its economy needs and is selling at prices lower than the current prices, even lower than the prices received by other Gulf States. Such sacrifice is rewarded by hostile attacks and threats by the press, media and even certain high government officials in certain Western countries. Don't you think the time has come for us to stop sacrificing ourselves for the sake of oil consumers?

Yamani replied:

OPEC gets the blame for raising oil prices. We have become used to this matter. Western information media is basically controlled by Zionist sympathizers, or by the Jews themselves.

Saudi Arabia's interest may appear to be served by lower production rates and higher prices, irrespective of the outcome. Let me remind you of my earlier statements regarding the link between price and consumption rates. Whenever prices go down, consumption goes up and vice versa. Whenever oil prices increase, large amounts of capital are invested in search of alternative sources of energy and in a search for oil in different areas. If we force Western countries to invest heavily in finding alternative sources of energy, they will. This would take no more than 7 to 10 years and would result in reducing dependence on oil as a source of energy to a point which will jeopardize Saudi Arabia's interests. Saudi Arabia will then be unable to find markets to sell enough oil to meet its financial requirements. This picture should be understood.

Further evidence of the Saudi thinking in determining levels of oil production is buttressed by an exchange of questions and answers between Sheik Yamani and Muhammed Ma'Ruf Ash-Shibani in Jidda just last month reported by our State Department's foreign broadcast information services.

Question. Saudi Arabia has persistently advocated the reduction of oil prices. It has also been selling its oil below world prices. What is your philosophy behind this policy, and why this insistence on reducing prices?

Answer. Increasing oil prices during 1979 and 1980, from a little over \$12 to \$32 or more (per barrel), has caused a great rush toward investment in energy utilities, with the aim of reducing consumption and developing alternative energy sources in order to lessen reliance on oil.

This has resulted in a drop in OPEC's share of the market from 31 million barrels per day in 1979 to much less than 24 million barrels this year. Some analysts believe that OPEC's share in the nineties will drop to less than 15 million barrels per day. This means the end of the organization. It also means many economic difficulties for the Saudi Arabian kingdom, which basically depends on its oil income. We have often cautioned against the consequences of increasing oil prices rashly and unwisely.

I recall that last year I pointed out to this fact at the Petroleum University and warned of a glut in the market. Unfortunately, many people in Saudi Arabia, including educated people, did not visualize this as a reality. We in OPEC are now suffering from a real crisis whose cause is oil price rises, and we will not be able to lessen the acuteness of this crisis except through taking the course we are taking now, which is to reduce oil prices.

They should be reduced, if possible or, at least, so as to curb investment in alternative sources so that this organization will once again be what it used to be in the past, and so that the Saudi Arabian kingdom will be assured of obtaining sufficient income to meet its financial requirements for the next 20 or 30 years.

There then follows an exchange of questions and answers as to whether or not Saudi Arabia is using oil as a weapon. Sheik Yamani does not fully admit that oil is being used as a weapon. But the following exchange occurs:

Question. Is this an exclusion of the possibility of using oil as a weapon?

Answer. With the existence of a large oil surplus at present, talk about using oil as a weapon is sheer fantasy. But oil as a political force still exists. Oil as a political weapon will come back once again when there is a balance between supply and demand.

If the Arab peoples find out the truth about what the price increase has done to their cause, they will rise to demand that their governments reduce prices so that demand will increase and the oil weapon will regain its strength.

Question. Is it true, therefore, that increasing Saudi production, which might be one cause of the surplus, will bar the possibility of using oil as a weapon?

Answer. Increasing production is in fact in the interest of hastening the time when the oil weapon will return.

Because the weakness of this weapon is due to the surplus, and the surplus is caused by the high prices, which in turn have led to big investments in oil substitutes and to a reduction in consumption. If we can reduce prices we can lessen the rush into these investments. We can then restore the importance of oil. We can control the price only by a decision or through productions, they are inter-linked. If you can increase production sufficiently to bring pressure on the levels of market prices and remove the possibility of their increase, then you lead on to what is happening now in the major industrial powers which have begun reconsidering their investments in alternative energy sources.

As a result of the Saudi production and pricing policy many major companies have been very reluctant to implement their energy substitution projects. This is in the interest of the Arab cause in that it restores the importance of oil.

Question. Is the kingdom making efforts to contribute to the development of alternative energy sources, or is this contrary to Saudi Arabia's desire to reduce the West's investments in this field in order to leave the door open for marketing Saudi oil?

Answer. At present we have no interest in participation.

Thus it is clear that Saudi oil prices are not determined by a love or hate of the United States. They are not determined by an altruistic sense of supporting the Western economies. Saudi oil prices are decided by an understandable self-interest—to wit—if oil prices go too high, the West will turn to alternative sources of energy and thereby destroy Saudi Arabia's dominant source of income.

Thus, it is clear. They will choose to supply such amounts of oil as they think

appropriate for their own domestic interests. Whether the arms sale package is approved or disapproved is irrelevant to that decision.

iv.

Now let us move to the fourth question:

Would the United States be better advised to adopt alternative means to achieve its goals, for example, peace and oil, in the Middle East?

To answer this question requires a bit of historical review.

The present Saudi kingdom is a relatively new fixture in the Middle East. It is little known that the House of Saud was effectively driven from the Arabian Peninsula in the last century. As the century turned, the Saudi family lived in refuge and exile in Kuwait, depending for sustenance on the charity of its arch enemy, the House of Al Rashid, which had conquered most of the Saudi's Arabian holdings.

It is not necessary to detail here the turn of fortune. Suffice it to say that under Ibn Saud, surely one of the most successful warrior conquerors in the history of Arabia, the House of Saud by conquest or corruption regained not only all of its old possessions but the bulk of the Arabian Peninsula. The following chronicles the Saudi expansion from the turn of the century to the present.

1902: Ibn Saud recovers Riyadh, the family seat, from the rival house of Al Rashid (rulers of Jabal Shammar).

1902-05: Ibn Saud recovers the rest of Najd and the Qasim (to the northwest).

1913: Ibn Saud wrests control of Hasa (the eastern province lying along the Gulf coast) from the Turks. He thereafter (in May 1914) acknowledged Turkish suzerainty and was appointed Ottoman *vah* (governor-general of Najd).

1915: In December 1915 Ibn Saud concluded a treaty with Britain which recognized him as ruler of Najd and Hasa, and required him to refrain from aggression upon Kuwait, Bahrain, Qatar, and the Trucial Sheikdoms (now the United Arab Emirates).

1919: Saudi forces occupy Khurma on the eastern approaches to the Hejaz.

1920: Saudis occupy the northern part of the Asir (on the Red Sea coast, south of the Hejaz).

1920: Saudi forces attack Kuwait but are repulsed.

1921: Ibn Saud conquers Jabal Shammar (to the north of Najd), deposes the Al Rashid dynasty, and annexes the principality.

1921-22: Saudi forces raid lower Iraq and Jordan, then under British mandate.

1922: Ibn Saud forced to conclude a treaty with Britain, laying down the frontiers of his dominions with Iraq and Kuwait (Convention of Uqair).

1922: Saudi forces raid up Wadi Sirhan into Jordan: stopped by British.

1924: Large Saudi raid on lower Iraq, again repulsed by British.

1924: Ibn Saud launches campaign to conquer the Hejaz. Captures Mecca, October 1924.

1925: Conquest of Hejaz completed. Medina captured, December 1925; Jidda later the same month.

1925: Frontier of Najd with Jordan defined by Britain in the Hadda Agreement (October 1925). Ibn Saud refused to acknowledge assignment of Aqaba and Maan to Jordan.

1922-36: Ibn Saud keeps up blockade of Kuwait in attempt to divert its trade to his own Gulf ports.

1930-34: Ibn Saud annexes remainder of Asir (on Red Sea coast) and slices of Yemen.

1933: Ibn Saud awards concession for his eastern dominions (al-Hasa) to Standard Oil of California.

1935: In negotiations with the British government to determine the eastern frontier of Saudi Arabia, Ibn Saud claims part of Qatar, the western and southern marches of Abu Dhabi, much of inner Oman, and the whole of the Rub al-Khali (the Empty Quarter), comprising about 200,000 square miles. Claim rejected by Britain.

1949: Ibn Saud forward new frontier claim to lower Qatar, four-fifths of the sheikhdom of Abu Dhabi, and all of inner Oman.

1950-51: Saudis try to bribe tribes of areas claimed to declare allegiance to Ibn Saud.

1952: Saudi force occupies part of Buraimi Oasis on border between Abu Dhabi and Oman. Sultan of Oman moves to eject Saudis by force. Saudis appeal to United States ambassador at Jiddah who intercedes with British to stop the Sultan. Standstill agreement concluded while British-Saudi negotiations on frontier continue.

1952-54: Saudis systematically violate standstill agreement, bribing tribes and running arms and agents into disputed area.

1954: Arbitration agreement concluded by Saudi Arabia and Britain to submit frontier dispute to arbitration tribunal.

1954-55: Saudi Arabia persistently breaks terms of arbitration agreement, distributing money and arms to tribes in disputed areas, tries to bribe brother of the ruler of Abu Dhabi, and to assassinate both.

1955: British forces eject Saudis from Buraimi Oasis in October and Britain declares a de facto frontier.

1955-57: Saudi Arabia trains an "Omani Liberation Army" in Hasa and sends it into Oman to raise a rebellion against the Sultan. Rebellion suppressed by Britain (summer 1957).

1964: Saudi Arabia gives arms, money and transport to tribal sheikhs in Dhufar (in southern Oman) to rebel against the Sultan.

1967: Saudi Arabia puts forward new frontier claim against Abu Dhabi. Rejected by Britain.

1970: Saudi Arabia advances a further frontier claim against Abu Dhabi and Oman, and demands cessation of oil prospecting in Abu Dhabi under threat of force.

1974: Abu Dhabi concedes stretches of territory in west and south of sheikdom to Saudi Arabia in return for Saudi recognition of the United Arab Emirates.

1977: Saudi Arabia obtains further territorial concession in western part of Abu Dhabi, consolidating the corridor the Saudis had obtained to the lower Gulf. Demand made upon Oman to concede a frontier lying along longitude 56° East. So far the Sultan has rejected these demands.

From the 1930's onward, the expansionist endeavors of the Saudis were actively abetted by the American oil companies to whom oil concessions had been let and especially by the Arabian-American Oil Co., while the Department of State habitually looked with benign indifference upon, or at times lent surreptitious encouragement to, what it chose to regard as the fulfillment of Saudi Arabia's manifest destiny—to rule all of Arabia from sea to sea. Every Saudi decision is bent toward that end.

All of the surrounding states on the Arabian Peninsula once looked to Britain for their protection, and until 1971 Britain provided that protection. Then the English moved out. These states were accustomed to having British bases in their countries that provided them with British protection against Saudi aggression. Some have given an indication that they would welcome U.S. bases to pro-

tect them against Saudi aggression. Certainly they would more likely welcome U.S. bases than Saudi Arabia.

One does not have to seek far to find the reasons for the Saudi Government's refusal to allow the United States or any Western power bases in Saudi Arabia, as well as for the reasons for its objections to their location elsewhere in the Arabian Peninsula. The basis of the Saudi State is religious. The authority of the Saudi ruler derives from his position as Imam, or leader of the Wahhabi sect of Islam to which the great majority of the Saudi people belong.

As such, his foremost duty is to uphold the predominance of Islam in the conduct of the country's affairs, to defend the sacred soil of Islam against its foes, and to assert the primacy of Islam over all other faiths. The Saudis also derive a certain prestige from their role as sovereign protectors of the holy cities of Mecca and Medina, although not all Muslims everywhere regard their usurpation of the guardianship of the holy places from the Hashimite dynasty half a century ago as legitimate. It follows from all this that the presence of tens of thousands of westerners and other non-Muslim foreigners in the country places a considerable strain upon the theocratic relationship between the Saudi ruler and his subjects.

The only way in which the Saudis can reconcile their obligations as defenders of the faith with their tolerance of large numbers of infidels within the pale of Islam, is by representing these infidels, who include, in Saudi eyes, American military support personnel, to their people as mercenaries performing tasks which are beyond the competence or beneath the dignity of the faithful to assume.

Such a pretense can be maintained so long as no significant concessions are made to these foreigners, or to their governments, which might be construed as a derogation from the Saudis political sovereignty. To grant to the United States the right to bases in Saudi Arabia, from which American troops under American command might operate, would be tantamount, in the eyes of the Saudi rulers and their people, to alienating a portion of the heartland of Islam to the infidel. Such a dereliction of its duties would strike a severe, perhaps even a mortal, blow to the foundations of the Saudi royal family's authority. Because they are so keenly aware of this possible eventually the Saudis have refused, and will continue to refuse, to concede any ground to the United States on the issue of base rights, or even the provision of operational facilities.

It might be objected in reply to this contention that it ignores the fact that Saudi Arabia has in the past made such a concession, viz, by granting the United States the lease of the air base at Dhahran almost 40 years ago. But the grant was made in the peculiar circumstances of the Second World War, when Saudi Arabia stood in dire need of American financial and material assistance. As soon as oil revenues began to flow in substantial quantities, as they did in the 1950's, the Saudi Government terminated the lease of the Dhahran base.

Nor does one have to look far to understand Saudi Arabia's opposition to the establishment of American bases or forces elsewhere in the Arabian Peninsula. The Saudi opposition to these bases is not based upon their internal theocracy but upon their external aggression. The Saudi desire for hegemony over the entire Arabian Peninsula can best be arranged and completed if Saudi Arabia is the most powerfully armed and dominant military force in the peninsula. Thus, any suggestions that other Arabian Peninsula nations might permit American bases on their soil draws immediate denunciation from Saudi Arabia. Ask Bahrain or the United Arab Emirates or Qatar, or Oman or the Yemens if they want a more powerful Saudi Arabia. Why have not one of them publicly endorsed this arms sale package? For a very simple reason: they dislike and distrust, with justification, Saudi Arabia's motives.

Saudi Arabia would be the benevolent protector of the Arabian Peninsula in about the same fashion that Rome was the benevolent protector of the known Western civilized world 2,000 years ago. Pax Romana may have meant peace and prosperity to Rome. It meant subjection and subservience to the rest of the world.

If we choose to make Saudi Arabia the keystone of our policy in the Middle East, it will not work. Worse, it will foreclose the options to work with and cooperate with all of the surrounding Arab States who have an intense dislike of Saudi Arabia. If the United States continues to acquiesce feebly in every Saudi prohibition or peremptory demand, there is faint chance that the rulers of the smaller states will be induced to enter into any mutual defense arrangements with the Western powers.

Not only are we putting all of our eggs in one basket, we are putting them in the wrong basket. The United States interests are not going to be served in the Persian Gulf area by banking on the good wishes and the good will of Saudi Arabia. We are instead better served by realizing that Saudi Arabia is a feudal state, fraught with internal difficulties, and feared by its neighbors. These states know that their interests are not protected by Saudi Arabia. The United States, however, is giving these other nations no chance to turn to the United States because of our obsequious fawning to Saudi Arabia. Our choices are really two: Pin our hopes on Saudi Arabia and fail, or pin our hopes on the other surrounding states and hopefully succeed.

Before I conclude, let me review once more our goals in the Middle East. Those goals are:

First, peace among the states in the Middle East who—we hope—will then form an anti-Soviet salient, and

Second, keeping oil flowing from the Middle East to the West.

In determining whether or not these goals are furthered by the arms sale to Saudi Arabia, it was necessary to ask the following four questions:

First, are the interests of the United States—peace and oil—best served by

the large scale arming of the Middle East powers including Saudi Arabia? The answer is unequivocally "No."

Second, is Saudi Arabia competent or willing to act as the linch pin to guarantee peace in the Middle East? Again—"No."

Third, is Saudi Arabia willing to sustain continued production of oil satisfactory to United States needs? Unfortunately—again the answer is "No."

Fourth, would the United States be better advised to adopt alternative methods to achieve its goals? Without question, the answer is "Yes."

We should, therefore, turn down the arms sale package to Saudi Arabia and continue on with the work of forging a firm relationship with nations whose interests are in accord with ours rather than trying to form an alliance with a nation whose interests will never be ours.

Mr. President, I wish to summarize, abbreviate, and change some of my lengthy formal statement and speak to some of the comments I have heard here today.

Mr. President, first it has been said today by almost every speaker about the security of Israel. We are all pledged to it. I am pledged to it. President Reagan is pledged to it. This entire Senate is pledged to it, and much of the argument about this sale has revolved around Israel.

So, from this moment on I wish to make my arguments against this sale as if Israel did not exist.

The Arab States in the Middle East have existed for a long time, sometimes as states in the international sense and sometimes as tribal entities without international recognition, but they existed long before the modern State of Israel was created. They have disliked each other for a significant period of time. They have fought and feuded with each other most of the time, and if the State of Israel were to disappear today, peace would not come to the Middle East.

So, in considering this package let us look at it from a standpoint of what would happen if there were no Israel and in considering this package let us look at it from the standpoint of what is our interest in the Middle East and what is the interest of the Arab States and especially Saudi Arabia in the Middle East because often when we start talking about goals, it turns out that different people are talking about different goals.

I think that our goals in the Middle East are twofold.

One is peace, peace among all of the States in the Middle East in the hope that they might get together and form an anti-Soviet salient, and I do not use the word "peace" as a homily. On occasion in the past it has been this country's policy to provoke war. We did it in Mexico in the 1830's. We did it in the Spanish American War because we thought it was in our interest.

It is not in our interest in the Middle East to provoke war. Peace is in our interest.

The second interest we have in the Middle East is oil, the continued supply

of oil to the United States in particular and to the West in general.

Saudi Arabia, on the other hand, has but one goal in the Middle East, and that is the complete control of the Arabian Peninsula—political sciences call it the hegemony—either physical control by occupation or political control by financial or other means. They have no other goal. They do not have a goal of peace unless it leads to that interest and if peace does not lead to that interest then they support any kind of tension and nonpeaceful situation that they can create. Oil is simply a means to an end for them. Oil is a means of achieving their end which is the domination of the Arabian Peninsula.

Now, what is going to happen if we go forth with this arms sale or should we go forth with this arms sale? And I think we should ask first, from our standpoint, four questions.

One, are we going to get peace and oil if we go forth with the arms sale?

Two, if we go forth with the arms sale, is Saudi Arabia willing or competent or both to act as a linch pin for peace in the Middle East?

Three, if we go forth with the arms sale, is Saudi Arabia willing to keep the oil flowing to the United States?

Four, if we do not go forth with the arms sale, is there some other option that we should be considering?

Let us take the first questions first. Is the arms sale going to encourage peace in the Middle East?

I hope no one would suggest that there is peace in the Middle East today. Iran and Iraq are at war. Syria occupies Lebanon. Libya occupies Chad and would like to occupy the Sudan and Egypt.

Most of the countries of the Middle East have been fighting with each other for a fair period of time, and today is no different. Peace does not exist in the Middle East today.

Now, is the reason that peace does not exist because there is a lack of arms in the Middle East?

A recent United Nations report issued last week indicates that five Middle Eastern nations, Saudi Arabia, Jordan, Syria, Iraq, and Iran, accounted for one-third of all present weapons imported by the developing nations in the world between 1977 and 1980. Saudi Arabia has the sixth highest arms budget in the world and far and away the highest per capita arms budget in this world, and that does not count the money that Saudi Arabia supplies to her fellow Arab countries and the PLO for their arms purchases.

So, let us do not any have dispute about the fact that is the Middle East well armed. They are well armed. The question is, would we be more likely to get peace if they are further armed? And history and reason simply do not dictate that conclusion.

Peace, our goal, is not going to come by further arming of the Middle East.

So, let us take our second goal, are we going to get oil if we arm Saudi Arabia? Or to put it more carefully, if we increase the armaments in the Middle East and especially in Saudi Arabia and thereby cause more deaths in the Middle East, will we get more oil in the United States?

Nations armed with Springfield rifles and aging machineguns can carry on war and indeed they can raid rural villages and kill a fair number of people. But they are not likely to damage many pipelines, refineries, wharves, and all of the other accoutrements of modern day warfare, and they are not likely to destroy any oil refineries with rifles.

However, if they are armed with state-of-the-art missiles, planes, tanks, bombers, they will do everything they can to wreak havoc to the greatest extent on their opposition and in the Middle East the best way to do that is to destroy your enemy's oil facilities which produces the income that enables the nation to buy armaments.

Iran and Iraq are perfect examples of what has happened. Iraq at the zenith of its production was producing 3.5 million barrels of oil a day. Now it is close to 1 million. Iran under the Shah had reached 6 million barrels of oil a day. After the Shah's disposition it dropped to 3.5 million. Since the war started with Iraq it has dropped to 1.6 million barrels a day. There is no question that if we continue to arm the Middle East the supply of oil is going to go down, not up, because the facilities to produce it, transport it, refine it are going to be destroyed.

Arming the Middle East, therefore, is going to produce neither peace nor oil.

Assuming that going forth with the arms package will not produce peace and oil, the argument is still made. How do you know if we do not go forward with it, do not go forward with it, we will get the peace and oil, and therefore let us go ahead and take a chance on Saudi Arabia and arm them and hope that they are willing to become the keystone and the linchpin for our policy in the Middle East, and again our policy is peace and oil.

Saudi Arabia's is not peace. But if we arm them will they become that linchpin? Well, first, look at Saudi Arabia, a country of roughly 4 to 5 million people, about 1 million adult males, roughly 2 million foreigners in their country, counting dependents, and the foreigners are certainly a factor for instability rather than stability.

Saudi armed forces number about 100,000; 65,000 probable fighting units, counting the army and the air force.

They do not have enough trained personnel who are well-schooled and well-lettered, today to handle the surfeit of modern weapons they have.

The Saudi Armed Forces have not known combat, as we understand it, for the better part of 50 years. They are untrained for war and unlettered for the handling of complex weapons.

But all we have noticed from the military was in 1969 there was a substantial purge of the military because of the discovery of strong anti-royalist sentiments, and 1979 when the mosque was seized, it took the military 3 weeks to dislodge a handful of fanatical right-wing Islamic tribesmen who had seized the mosque.

I have heard a number of arguments made today for the sale to Saudi Arabia. I have not heard a single person with a military background or otherwise make the argument that the reason for the sale

was that Saudi Arabia was going to become a great fighting force. It is not and it cannot.

Nor should it be assumed that the Saudis are evenhanded, however, in their views about foreign military presence in the Gulf area. The Saudis, of course, along with some of their purchased friends have said that the protection of the Persian Gulf is up to the Gulf States, and they oppose foreign interference.

You will recall in 1978 and 1979 when Saudi Arabia—

Mr. BOSCHWITZ. Mr. President, may we have order?

The PRESIDING OFFICER. The Senator from Oregon has the floor, and I ask those conducting conversations to do so outside of the Senate.

Mr. PACKWOOD. I appreciate that from the Chair.

Saudi Arabia objected to our providing armaments to North Yemen, and we did not. So instead the Soviets did, and now the Soviets provide arms to both North and South Yemen.

Then when Oman was going to grant us a base—and we may yet get it if the Sultan of Oman continues his courageous position he has taken—Saudi Arabia objected to it. Saudi Arabia objects to our presence in any place in the Gulf area. Interestingly, they do not have the same objections to the Soviets. When the Gulf Cooperation Council met earlier this year they issued a denunciation of the Sultan of Oman, and Saudi Arabia personally added to it, because the Sultan was going to give us a base, and yet not a word in their communique about the treaties of friendship with the Soviets and Iraq and Syria, and the bases that the Soviets have in those countries; not a word about the colonization, for all practical purposes, by the Soviets surrounding Saudi Arabia.

No, Mr. President, it is clear that Saudi Arabia does not have an evenhanded foreign policy. They tilt in this case toward Soviet bases and away from American bases.

But even if they tilted toward us, this country is too small, too poorly trained, its military too meager, and its relations with its fellow Gulf countries too fragile.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. PACKWOOD. When I finish.

Mr. TOWER. I just wanted to ask the Senator if Saudi Arabia has diplomatic relations with Moscow.

Mr. PACKWOOD. No; nor do most of the countries. Kuwait does.

Despite the fact the Saudis cannot keep the peace, cannot—they do not have the capacity to do so, and they have not evidenced the will to do so. Should we sell them arms in the hope that they will keep oil flowing? Here are the critical questions month after month, week after week, and day after day. The Saudis have been very moderate, they only raised their prices to \$32 instead of \$34 or \$36, and they have done that out of their interest for the West.

They do not do that out of their interest for the West. Saudi Arabia bases its oil prices on what it thinks is best for it, not for us, not for Europe, not for Japan, and I do not know why, for the life of me, that should baffle any of us. Hopefully every country, including this

one, makes its foreign policy decisions and its economic decisions on what it thinks is best for it.

There were two interesting interviews with Sheikh Yamani on this subject of oil prices that are most revealing. One was last January when he spoke at the University of Petroleum and Minerals in Damman, Saudi Arabia, and there was a question and answer period. This was reported in the Petroleum Weekly Intelligence, and here is the question:

The Saudi citizen who looks at his country's current oil policy finds that the country is producing more than its economy needs and is selling at prices lower than the current prices, even lower than the prices received by other Gulf states. Such sacrifice is rewarded by hostile attacks and threats by the press, media and even certain high government officials in certain Western countries. Don't you think the time has come for us to stop sacrificing ourselves for the sake of oil consumers?

Yamani replied:

OPEC gets the blame for raising oil prices. We have become used to this matter. Western information media is basically controlled by Zionist sympathizers, or by the Jews themselves.

Whenever prices go down, consumption goes up and vice versa. Whenever oil prices increase, large amounts of capital are invested in search of alternative sources of energy and in a search for oil in different areas. If we force Western countries to invest heavily in finding alternative sources of energy, they will. This would take no more than 7 to 10 years and would result in reducing dependence on oil as a source of energy to a point which will jeopardize Saudi Arabia's interests.

The other interview took place in Jidda, and was reported by our State Department's Foreign Broadcast Information Services, and it concludes by saying the same thing, that the Saudis' price of oil is determined by the fact that they do not want to raise it so high that we move to coal or nuclear or natural gas or hydroelectric. They want to keep it low enough so that we are hooked on the narcotic of imported oil so that they can have enough money coming in for as long as they need it to complete their goal, which is the domination of the Arabian Peninsula.

You will find on your desks a map put out by Oxford University. This map indicates basically the history of the Saudi movement in this century on the peninsula, and interestingly enough even the name "Saudi" is relatively new as far as the country is concerned. They did not think they had sufficient control of the country until 1932 to call Arabia Saudi Arabia.

Most of us are unaware that at the turn of this century the House of Saud had been effectively kicked out of the entire Arabian Peninsula, and the bulk of the peninsula was in the control of the House of Al Rashid.

The Saudis were holed up in Kuwait in refuge, in exile, and close to poverty, living on handouts. I am not going to detail here their turn of fortune. Perhaps, fortunately for the Saudis, there came to power at that time one of the great warrior aggressors in the history of the Saudi dynasty in the form of Ibn Saud, and on this map, again put out by

the Oxford University Press, you can see what the Saudis effectively did.

They moved back to Riyadh in 1902; they continued out in almost circular fashion not unlike the way the dynasty of Russia built out of Moscow.

It was not until the mid-twenties that they captured Medina and Mecca from the Hashemites. Today there is bad blood between the Saudis and Jordan because of it. But they moved and moved and moved. They took Kuwait, Bahrain, Qatar, and the Trucial States, part of Oman, part of Yemen, part of Jordan, as they moved.

They are distrusted and disliked by every country on the peninsula, feared but disliked to this day as we sit here arguing about Saudi Arabia, which is today making a claim on Oman and demanding that Oman give up more of its territory to the Saudis. The Sultan has rejected it so far.

But for anyone to think that the Saudis have any interest in—

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. PACKWOOD. No.

Mr. TOWER. The Senator mentioned the Sultan of Oman.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. PACKWOOD. If anyone thinks interestingly enough that any of these other countries support this sale, name one Gulf country, one Persian Peninsula country, Arabian Peninsula country, that publicly has endorsed the sale. Not Kuwait, the Emirates, not Bahrain, not Qatar, not Oman, not North or South Yemen, not one has endorsed the sale, and it is understandable because this is the decision we are about to make.

Whereas in the past all of the states surrounding Saudi Arabia could look to Great Britain for protection, they can no longer do that. Britain used to have the Aden protectorate all along the south coast. They use to have the Trucial States, which are now the Emirates, and any time the Saudis attempted to move further than the British wanted to allow, the British stopped them, and all of the surrounding states depended upon England for protection.

Then England left in 1971, and to our everlasting shame we did not move in. At a time when we had an opportunity to replace Great Britain in an area at a very cheap cost and keep this entire area under Western influence, we did not move.

Now, we have the Soviets in South Yemen, we have them in North Yemen, and we have Kuwait frightened to death and we have the rest of the states in the peninsula wondering what is the policy of the United States going to be.

By this vote today, we are going to tell what the policy is going to be. If we go with Saudi Arabia, we lose any last chance to have any significant influence with any of the other independent countries in the peninsula.

If we go with Saudi Arabia, we are not going to get what we want. We are not going to get the bases in Saudi Arabia. They do not want us there. The last base we had was at Dhahran. And when the oil finally started coming in in the late

1940's and 1950's, the Saudis kicked us out and never again allowed American bases.

It is perfectly understandable. They are a theocracy. They do not like foreigners and they do not like Westerners, especially. They want to keep us out of Saudi Arabia itself and preferably they want to keep us out of all of the other Gulf countries so that Saudi Arabia is the only dominant military presence.

By this sale today, we are going to ratify the fact that they will become the dominant military presence. At that stage, Saudi Arabia is going to become the benevolent protector of the rest of the Arabian Gulf States—a protector roughly in the same way that Rome was the protector of the known civilized world 2,000 years ago.

And Pax Romana may have meant peace to Rome but it meant subservience to the rest of the known world.

I understand the difference of opinion on this subject and I understand that decent people can reach different honest conclusions. But the facts I have presented about the past Saudi aggressions are facts.

It is my judgment as to what they will do in the future, but if you were going to base the future actions on your judgment about what somebody will do on past actions, they, indeed, are going to attempt to complete the encirclement, complete the control of the Persian Gulf.

When they have done that, one of two things is going to happen, because this will remain as long as it can remain a very stolid, solid theocracy opposed—

Mr. TOWER. Will the Senator yield for a question of clarification?

Mr. PACKWOOD. No. I would like to finish and then I will yield. I will be finished in about 3 minutes.

When they have completed their control of the Persian Gulf countries and when they have their fundamental Islamic sect in control, one of two things is going to happen. Either the most rigid and the most rightwinged of the fundamentalists are going to seize control and we are going to have a Khomenei-style Arabian Peninsula—not Saudi Arabia, Arabian Peninsula—or the left is going to gain control. Qadhafi-types, and expel the Saudis, killing those that they can and maybe the others will escape.

And in that event, the United States is going to be faced with a rightwing fanatical Islamic government hostile to Americans and foreigners or a leftwing radical military government hostile to Americans, although not the Soviet foreigners. And in either event, our policy for the Middle East will have failed. We will not have the peace we had hoped for. We will not have united countries and we will not have oil.

Now, I would simply ask the Senate to reject this bill today because if we accept it, we are putting all of our eggs in one basket. It is the Saudi basket and it is the wrong basket.

Our interests are better served by alliances with the Emirates, Oman, the Yemens, and the others who are much more used to having foreign bases, because they have had the British there and they will be much more receptive

to have our bases there than the Saudis ever will.

If we do not do that, then we condemn the peninsula to the Saudi influence and eventually a government that is hostile to America. And what we will have is an armed and hostile bulwark against our policies in the Middle East.

With that, I am happy to yield for a question from the Senator from Texas.

Mr. TOWER. I would like to ask the Senator from Oregon if he has some comment on the Gulf Cooperation Council that was formed last February.

Mr. PACKWOOD. Yes.

Mr. TOWER. He seems to indicate that the Emirates, Oman, Qatar, Kuwait, and Bahrain seem to fear Saudi Arabia. I would like to ask the Senator from Oregon when was the last time he talked to Sultan Qaboos, of Oman.

Mr. PACKWOOD. I have not met the man.

Mr. TOWER. I spent 2 hours with him at the desert about 3 months ago. He was an enthusiastic endorser of the objectives of the Gulf Cooperation Council which has been formed with Saudi Arabia, the Emirates, Qatar, Bahrain, and Kuwait. They perceive the Soviets and their proxies as their principal threat, not Saudi Arabia.

I can assure the Senator from Oregon that the Sultan of Oman is far more concerned about the threat of South Yemen than he is of Saudi Arabia. I think the Senator from Oregon might have misrepresented things when he indicated that there was opposition on the part of other members of the Gulf Cooperation Council to the AWACS sale.

Mr. PACKWOOD. What I said—

Mr. MOYNIHAN. May we have order, Mr. President?

The VICE PRESIDENT. The Senate will be in order.

Mr. PACKWOOD. What I said, if I might reply to the distinguished Senator from Texas, is that not one of the Arabian States has endorsed the sale. The Library of Congress checked for the past 2 days each of the embassies of the countries. If the Senator would tell me which country has publicly endorsed it, I would appreciate it.

Mr. TOWER. I think the other states of the area have shown probably a great deal of discretionary judgment in not intervening in American decision-making.

Let me note, however, that since the Senator from Oregon is a great supporter of the peace process as reflected in the Camp David agreement that the man singly most responsible for the initiation of the Camp David accords was Anwar Sadat who was an enthusiastic backer of the AWACS sale.

Mr. PACKWOOD. And Egypt has no great fear or concern about Saudi Arabia and Egypt knows the importance of the Arabian Peninsula.

Mr. TOWER. Other governments have gone in a cooperation agreement with Saudi Arabia, and the Sultan himself is a very enthusiastic backer of this arrangement we now have between Saudi Arabia.

Mr. MOYNIHAN. Will the Senator from Oregon yield for a question?

Mr. PACKWOOD. I am happy to yield.

Mr. MOYNIHAN. Is it the Senator's understanding that following the attack by the Libyan Air Force on American planes over the Gulf of Sidra that the Gulf's Cooperation Council, which is organized by Saudi Arabia and has its headquarters in Riyadh declared our act of self-defense to be an act of medieval piracy? Does the Senator understand that to be the case?

Mr. PACKWOOD. The Senator from New York is correct and Saudi Arabia was party—

Mr. TOWER. Is the Senator aware who made that statement? It was not made by Saudi Arabia.

Mr. PACKWOOD. Mr. President, I was responding—

The VICE PRESIDENT. The Senator from Oregon has the floor. The Senate will be in order.

Mr. PACKWOOD. I was responding to a question from the Senator from New York, but I could not hear him.

Mr. MOYNIHAN. I was going to ask the distinguished Senator from Oregon if his understanding was that the Government of Oman dissociated itself from that statement and the Government of Saudi Arabia did not?

Mr. PACKWOOD. Saudi Arabia was a participant in the conference. What Saudi Arabia said is this: Again, this is from the Foreign Broadcast Information Service.

This government views the action the United States has taken in Iran with great concern and much regret, this action being one not in line with rules of international law. It regards the use of force by the United States as going beyond the acceptable limits in international behavior.

Mr. TOWER. Would the Senator identify the source—

Mr. MOYNIHAN. I thank the Senator from Oregon.

Mr. PACKWOOD. I cannot hear the Senator.

Mr. TOWER. Would the Senator identify the source of the statement on the Libyan incident? It came from the Secretary General, who is, indeed, a Kuwaiti.

Mr. PACKWOOD. I have to confess I was trying to respond to the Senator from New York and I did not now understand or hear what the Senator from Texas said.

Mr. TOWER. I will repeat it.

The statement was made by the Secretary General of the Gulf Cooperation Council, who is a Kuwaiti and not a Saudi. And Kuwaitis tend to be the members of that council that tend to trend more toward the balanced relationship with the Saudis than any other states in that area. I would point out again that Riyadh does not have diplomatic relations with Moscow. I would note further that the same has been reported, according to the State Department in diplomatic conversations with Oman, Behran, and the United Arab Emirates.

Mr. PACKWOOD. Mr. President, I will say once more what I have said. Have those countries publicly endorsed the sale?

Mr. TOWER. They have endorsed the sale in diplomatic conversations with the State Department. The State Department is my source and if the Senator would like me to document that for the record, I will.

Mr. PACKWOOD. Mr. President, how much time do I have remaining?

The VICE PRESIDENT. The Senator has 44 seconds remaining.

Mr. PACKWOOD. Mr. President, as there are many people here who would like to speak, I will yield back my 44 seconds to whoever would like to have it.

The VICE PRESIDENT. The Senator from Rhode Island is recognized.

Mr. PELL. Mr. President, I congratulate the Senator from Oregon on his speech, particularly on his courageous leadership of this battle that we have been fighting in connection with the sale of the AWACS and Sidewinders. I think that this is not a question of what is most beneficial to the United States. It is a question of what is the least harmful—whether to go ahead with selling this flying Maginot line and the Sidewinder missile or whether not to do it.

Whichever way we go, the United States suffers.

The question is, Which way do we suffer the least?

We start from the fact of the overall harm in pouring military equipment into an unstable region, and particularly into a potentially unstable country.

Mr. HART. Mr. President, could we have order in the Senate?

The PRESIDING OFFICER. The Senator will suspend. The Senate will be in order.

Mr. PELL. Thank you, Mr. President.

In the long haul, I think we would all agree that a nation that is owned and operated by 2,000 cousins will probably not be all that stable over the long period of time.

If we go ahead, we have the danger of possible compromise of the AWACS and the Sidewinder missile.

We also know that it is a threat to Israel, as Sheikh Yamani said one time. He said that the Soviet Union is a threat but, that the greater threat is Israel. I think that is the view of most Saudis.

Finally, if you went ahead with this package, Israel would want similar arms, but instead of paying full price for them would want them on concessional terms.

Those are the disadvantages if we go ahead.

If we do not go ahead, what happens? We annoy the Saudis.

On balance, when weighing carefully the pros and cons, which are much more complicated than I have been able to portray in these very few minutes, it is a close call. For every argument, as Senator BYRD says, there is an argument the other way. But, as one Senator, I came to the view that it was to our advantage not to go ahead with the sale.

I think finally that the whole exercise demonstrates the importance of the consultative process. This whole exercise could have been prevented had there been proper consultation with the Congress.

Mr. PERCY. Mr. President, can we have order in the Chamber? The Senator simply cannot be heard.

The VICE PRESIDENT. The Senator will suspend until the Senate is in order.

Mr. PELL. I thank very much my colleague, and, in this one case, adversary, for his request.

Mr. President, I think this whole exercise demonstrates the importance of consultation between the Congress and the executive branch. If adequate consultation had occurred, I think many of the doubts and questions could have been resolved and we could have avoided the imbroglio in which we found ourselves.

I would add, finally that this whole Frankenstein we have created has come to assume an importance that far exceeds the reality of these five lumbering vessels and the various other military hardware in the package. I yield back the floor.

The VICE PRESIDENT. The Senator from Illinois is recognized.

Mr. PERCY. Mr. President, this is the most significant single vote to be cast so far on foreign policy matters by any Senator in the 97th Congress. Without any question, it is a very close vote. I deeply respect the judgments and the opinions which have been expressed by opponents of the sale. They have thought through this issue.

Our goal is the same: Peace in the Middle East; security for Israel. We simply see it from a different perspective.

Mr. President, this morning the distinguished Senator from West Virginia (Mr. RANDOLPH) gave a lesson at the Senator's prayer breakfast.

During the course of his comments this morning, he pointed out that—

Mr. PELL. Mr. President, I ask for order in the Chamber.

The VICE PRESIDENT. The Senate will be in order. I will ask the Senator not to proceed until we have order.

Mr. PERCY. Senator RANDOLPH pointed out that one vote does count; that, after all, five States are in this Union because they received that extra vote, one vote: California, Texas, Oregon, Idaho, and Washington are in the Union because of one vote.

Rarely have we had an issue where ever single Senator's vote counted more than this one, and never have we had a vote that was closer to a 50-50 tie than this one. The decision to be made by the uncommitted Senator, or two, will decide which way the United States of America goes.

Despite the fact that I have great respect for the issues raised by those who are on the other side of the issue from myself, I have come to the same conclusion that the President of the United States and every past living President has reached. The decision to sell AWACS and other equipment to Saudi Arabia is in the vital national security interest of the United States of America. It is essential for peace in the Middle East and it is essential in the long term for the safety, peace, and security of Israel as well.

Certainly, we can recognize that the entire course of events in the Persian Gulf and in the Middle East can be determined by the decision we make in this case. The President's ability to conduct foreign policy is at stake. If he is rebuffed on this first crucial test of President Reagan's prestige and his power in international affairs, it will be a setback for the United States of America, for the institution of the Presidency, and for the entire free world. The eyes of the entire world are watching today what the Senate will do on this particular issue.

Peace in the Middle East is a primary goal of the foreign policy of the United States, and that includes in it the security of Israel. We know that a strong national defense for any country is the best deterrent to aggression and is essential to the achievement of peace.

The AWACS is a magnificent instrument for defense. It is not an offensive weapon. It does not carry a peashooter, or a BB gun. It will be used for the defense of the Persian Gulf, Saudi Arabia, and the oil facilities that are threatened.

If Iran could raid and bomb Kuwait several weeks ago, someone could bomb Saudi oil fields and facilities, decimating the economies of the free world.

Certainly, we wonder what will happen in Saudi Arabia if we vote down this sale. We have had some assurances that there will be no retaliation against us. Nevertheless, let us understand that while Saudi Arabia is not a western style democracy, the leadership is responsive to the will of the people. The ordinary Saudi citizen believes that his government is responsive to his concerns, and the majlis system that exists in Saudi Arabia is an integral part of the opinion making that goes on in that country. Two hundred and fifty of these majlis exist in Riyadh alone, with over 2,000 throughout the country. Representatives of the crown meet with the local groups and they form judgments and opinions.

What will happen in those majlis meetings beginning tomorrow if, commitments made by two administrations are rejected? A request for defensive equipment supported by our intelligence community, by the Department of Defense, and by our State Department.

Certainly, I think Saudi Arabia, at the least, would have to reconsider how they are going about providing for their own national security interests. Any change from the present trend, whether they go to the British or the French system, without the controls provided by our own AWACS system, would be contrary to their best interests and contrary to our best interests.

I therefore urge my distinguished colleagues to support the President in this instance and support the cause of peace in the Middle East and throughout the world.

THE PRESIDING OFFICER. The time of the Senator from Illinois has expired.

MR. CRANSTON. Mr. President, paraphrasing some famous words of a famous Californian about the Panama Canal; we built the AWACS, we paid for them, we should keep them.

We have heard Senator after Senator explain in great and persuasive detail why they believe the AWACS package is a bad mistake. Then we have heard the big "but." But, they say, despite the evils of the package, the President has made a decision and we must support the President; the President must conduct foreign policy; the Senate must support the Commander in Chief.

Mr. President, the Senate is a proud institution. Each of us is proud to be a Senator.

THE VICE PRESIDENT. Will the Senator suspend? The Senate will be in order. The galleries will not respond and will be in order.

The Senator may proceed.

MR. CRANSTON. Mr. President, the Senate is a proud institution. Each of us is proud to be a Senator. Under the Constitution, the Senate is more than just half of the Federal Legislature. It is an adviser of Presidents. If the Senate as Presidential adviser is to serve its function properly, its Members collectively must be the equal of, not the servants of, the President. We must think independently, no less act independently of the President. That is our responsibility to our country, to our constituents, to ourselves, and to the President himself. A rubberstamp Senate may be what the President wants, but it is not what he needs and it is not what the Nation needs. A Senate that yields to a President not because he is right but only because he is the President has let him down and let the country down.

The Senate must not hesitate to say no to the President when it thinks he is wrong; indeed, it must say no. It has a most profound responsibility to say no.

This is especially true in matters of foreign policy. Mr. President, when the consequences of a mistake can be so detrimental to the peace and security of our Nation and of our world. We have a tendency to want to give the President the benefit of the doubt in foreign affairs. Yet, it is in foreign affairs preeminently, as the authors of the Constitution understood, that the Senate must stand as a check against ill-advised actions by the President.

If we are not going to fulfill that responsibility, why do we not amend the Constitution so we no longer bear it? Mr. President, I have drawn up an amendment that would do that.

Article X: In case of conflict between the President and the Congress on the conduct of foreign affairs, whenever, in the judgment of the President of the United States, any action by the Congress, whether by law or otherwise, would interfere with the President's conduct of foreign affairs of the United States Government, then he may declare such action null and void insofar as it affects the particular power of the President cited by him as being infringed by Congress' exercise of its powers.

Of course, Mr. President, that amendment is not intended seriously, but it is a challenge. When in doubt, the Senate should yield not to the President but to caution, to forethought, to conservatism.

That is why we are here, Mr. President. That is why we do not have one-

man rule; no emperor, no king, no dictator. That is why we have a system of divided powers in our beloved country. That is why we have checks and balances. That is why we have a Senate.

We approach a moment when the Senate should rise to its historic role. I urge my colleagues, whichever way you may go in this issue finally, make up your own minds. The issue we shall vote upon in 6 minutes is of vast importance. Even more important is the tradition and dignity of this body, a tradition and a dignity that is our responsibility to maintain. For we are those chosen now to sit as Senators, to think as Senators, to act as Senators.

One Senator said to me today, "Only the Lord really knows the right vote on this issue." If those of us who oppose the sale win, I pray that we are right. If the President wins, I pray that he is right.

THE VICE PRESIDENT. The Senator's time has expired.

The majority leader is recognized.

MR. BAKER. Mr. President, before I proceed, I yield 30 seconds to the distinguished Senator from Virginia (Mr. HARRY F. BYRD, JR.).

THE SALE OF AWACS TO SAUDI ARABIA

MR. HARRY F. BYRD, JR. Mr. President, today I want to discuss the proposed sale of AWACS aircraft to Saudi Arabia.

First, let me say that during the years I have been in the Senate I have been a strong supporter of Israel. Israel is a democratic nation and a close friend to the United States.

I have been in Israel on three different occasions and have great admiration for the Israeli people. It is remarkable how the Israelis have developed that country. And Israel has attained a military structure that on a per capita basis exceeds that of any other nation on Earth.

Israel is important to the United States; it is strongly anti-Soviet and is the only democracy in the Middle East.

Saudi Arabia is also a friend of the United States. The largest producer and exporter of oil in the free world, it is important to our country and, indeed, to the entire free world. Its government is the anti-Communist leader of the Arab world.

Judging from my visits to Saudi Arabia, I feel its government is relatively stable. It is a kingdom, to be sure; it is not a democracy.

In my view, however, its government is in much closer touch with the realities of its country than was the Shah with the people of Iran. I do not equate conditions in Saudi Arabia with those existing in Iran during the latter years of the Shah.

Several months ago President Reagan announced that he planned to sell to Saudi Arabia five aircraft known as AWACS, airborne warning and control systems.

When the President first made known his plan, I stated I would wait until all the facts were reviewed before making a decision on the proposal. I have kept that commitment. I believe that I have listened to everyone who is able to bring out facts about this matter.

I view this as having three dimensions that should be addressed. They are: Internal security, military, and political. I would like to address each of these.

There has been concern about the possible loss of advanced technical data to unfriendly nations, recalling that we lost F-14 aircraft and the Phoenix missile system in Iran after the Shah was deposed.

The first AWACS aircraft would not be turned over to the Saudis until 1985 or 1986. Every knowledgeable person with whom I have communicated related that by 1985 the Soviet Union, Great Britain, France, and perhaps other nations will have sufficient technical data to build their own equivalents to the AWACS that is now being considered for transfer. In fact, the British version is available in the immediate future.

Furthermore, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff assert that American Air Force personnel will be involved in the deployment of Saudi AWACS until 1990 or later.

I have been assured by the Secretary of Defense that Saudi Arabia has agreed to operate and maintain this aircraft under maximum security conditions when it finally becomes a total Saudi AWACS effort.

Our past experience with Saudi Arabia suggests there is minimal risk of the AWACS equipment being compromised. Of course there is no guarantee, just as there could be no guarantee even if U.S. personnel should man the planes.

As evidence, I recall what happened in Iran when American planes and American personnel sought to free the American hostages taken by the Khomeini government. The aborted rescue attempt cost the United States valuable intelligence data and sophisticated equipment.

Next I would like to address the military aspects of the AWACS.

I have been aboard this aircraft. The AWACS is a basic Boeing 707 modified and equipped with sophisticated radar and communications facilities.

Its purpose is defensive—to detect incoming military aircraft and relay that information to the Nation's defensive forces.

The AWACS aircraft has no rockets, no bombs. It is totally unarmed. It has no offensive capability.

The entire concept of the AWACS system is to detect airborne objects traveling above 80 miles per hour and to be able to direct fighter aircraft to intercept those targets.

Just recently the American AWACS detected the Iran air strike on Kuwait.

With AWACS and the F-15 enhancement program American military experts, most particularly the Chairman of the Joint Chiefs of Staff, believe Saudi Arabia can make a credible defense against some of her enemies; without them she cannot.

President Reagan feels the Saudis need the AWACS in order to extend radar coverage to permit their own fighters to intercept incoming attack aircraft. Both

our President and our Secretary of Defense feel the AWACS planes are essential in protecting the oil fields and facilities of Saudi Arabia.

Some say this new equipment could not stop the Soviet Union. Of course it could not stop a determined attack by the Soviets; only the United States could do this and the consequences of such a contest are frightening. Yet two Presidents have stated the United States will defend Saudi Arabia against an attack. The purpose of the AWACS sale is to help the Saudis defend themselves. Without AWACS the oil facilities cannot be defended.

We need to remember that Saudi Arabia is surrounded by unfriendly nations with close ties to Soviet Russia, namely, Syria, Iraq, South Yemen, and Ethiopia.

Now let me turn to Israel and the alleged threat of AWACS to Israel.

When the proposed sale was first announced I was concerned as to whether it would jeopardize the security of Israel. I have reached the conclusion that it will not.

AWACS is a totally defensive system; it poses a military threat only to those who attack. In addition the American Government and the American people believe in a free and democratic Israel and are committed to its security.

Yet even without this American attitude I see no practical way the Saudis could use the AWACS offensively against Israel. Israel's military might is awesome and the Saudi AWACS—a totally unarmed aircraft—would need to stay far from Israel's borders else run the risk of being easily shot down.

Now let me turn to the political repercussions throughout the world should President Reagan's proposed sale of AWACS to Saudi Arabia be repudiated by the Senate.

The President of the United States as Commander in Chief of our Armed Forces committed himself to the sale of the AWACS to the Saudis because he is convinced that such a sale is important to the United States.

President Reagan believes, as does the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, that the Saudi Arabian oil facilities are vulnerable and are threatened.

I agree with that assessment.

I am convinced that Russia, over a period of time, is determined through a third country or through internal upheaval to get control of the Saudi oil fields. As I earlier noted, Saudi Arabia is bordered by unfriendly countries with close ties to the Soviet Union.

I talked at some length with President Reagan last week. He is determined to do his utmost to have the AWACS sale approved. He is convinced that it is in the best interests of our Nation and of the free world, of which Israel is an integral part.

Leaders of European nations have warned him that should the AWACS sale be defeated his own credibility and that of the United States would be severely damaged.

In summary, the Saudis will buy the aircraft and will pay cash; the AWACS is a defensive aircraft, totally unarmed, its value being to alert the Saudis of the approach of attacking aircraft; I see no realistic threat to the security of Israel; I see damage worldwide to the credibility of the United States should the sale be repudiated.

In studying all aspects of the AWACS sale to Saudi Arabia, I support President Reagan's proposal as being in the best interests of the United States.

The VICE PRESIDENT. The majority leader is recognized.

Mr. BAKER. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order. The Chair asks that the galleries be in order as well as the guests on the Senate floor.

Mr. BAKER. Mr. President, the Senate is approaching a historic moment, but the Senate is truly a historic place. It is not easily put off by difficult challenges nor the political and personal anguish that go with irresolution, for it is precisely that role that the Founding Fathers contemplated when this body was created.

It is a matter of great pride to me and I believe to every Member of the Senate that, throughout the history of this body, I believe we have upheld that tradition by our willingness to undertake difficult judgments, to receive responsibilities for the formulation of public policy at home and abroad when the fires of controversy burned hot, tempers flared, anguish was obvious, and difficult judgments were the rule of the day.

Nor has the Senate been put off by close calls, by one-vote margins, with uncertain results. One of the first acts of the Federal Legislature was to end the war with the mother country, a vote that was taken in the Senate and carried by three votes; the Panama Canal Treaty by a single vote; the extension of the Selective Service Act in 1941 in the House of Representatives by a single vote.

Indeed, this body has never shied away from its responsibility because the duty was difficult and the decision was hard.

Mr. President, in my time in the Senate, I have never seen the Senate perform with greater dedication and a greater effort to redeem the confidence of the American people that is entrusted to us as their surrogates and trustees. I have seen Member after Member express with great regret his or her decision. I have seen them do so at great personal sacrifice and political risk. But I have seen them perform, Mr. President, in the highest traditions of the Senate. I believe the President of the United States has performed according to the traditions of that institution in an honorable and difficult way.

We now approach the time when the Senate will decide whether to uphold the judgment of the President in respect to an important matter of foreign pol-

icy. Since the earliest days of February, when the administration first briefed the Senate Committee on Foreign Relations on this sale, Mr. President, many in this Chamber, on both sides of the aisle, have sought to work with the administration in fashioning a package that enhanced our own interests without diminishing the interests of others.

I should add that the administration has gone to extraordinary and truly unprecedented lengths to insure that every Senator has had the opportunity to make suggestions and participate in the final form and shape of this package.

At my request, the President delayed submission of the result to allow more than ample time for that process of consultation to occur.

The arrangements that have framed and circumscribed the substance of the sale now before us was a product of the efforts of all who have participated.

Mr. President, the hour that will dispense with months of consultation and negotiation is now upon us, and I leave my colleagues with the words of President Abraham Lincoln in his message to Congress on July 4, 1861, in view of his responsibilities:

I have so far done what I deemed my duty. You will now, according to your own judgment, perform yours.

The VICE PRESIDENT. The time of the Senator has expired.

The hour of 5 p.m. having arrived,

the question is on agreeing to House Concurrent Resolution 194.

Mr. PERCY. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I ask that the clerk be instructed to repeat the vote of each Senator as it is cast.

The VICE PRESIDENT. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The VICE PRESIDENT. The Senate will be in order. The Chair reminds the gallery that they are the guests of the Senate. There will be no displays of pleasure or displeasure.

The result was announced—yeas 48, nays 52, as follows:

[Rollcall Vote No. 338 Leg.]

YEAS—48

Baucus	Durenberger	Matsunaga
Bentsen	Eagleton	Metzenbaum
Biden	Ford	Mitchell
Boschwitz	Glenn	Moynihan
Bradley	Hart	Packwood
Bumpers	Hatfield	Pell
Burdick	Hawkins	Proxmire
Byrd, Robert C.	Heflin	Pryor
Cannon	Heinz	Riegle
Chiles	Hollings	Roth
Cranston	Inouye	Sarbanes
D'Amato	Jackson	Sasser
Danforth	Kasten	Specter
DeConcini	Kennedy	Tsongas
Dixon	Leahy	Weicker
Dodd	Levin	Williams

NAYS—52

Abdnor	Grassley	Nunn
Andrews	Hatch	Percy
Armstrong	Hayakawa	Pressler
Baker	Helms	Quayle
Boren	Huddleston	Randolph
Byrd	Humphrey	Rudman
Harry F., Jr.	Jepson	Schmitt
Chafee	Johnston	Simpson
Cochran	Kassebaum	Stafford
Cohen	Laxalt	Stennis
Denton	Long	Stevens
Dole	Lugar	Symms
Domenici	Mathias	Thurmond
East	Mattingly	Tower
Exon	McClure	Wallop
Garn	Melcher	Warner
Goldwater	Murkowski	Zorinski
Gorton	Nickles	

So the concurrent resolution (H. Con. Res. 194) was rejected.

RECORD OPEN UNTIL 6 P.M.

Mr. BAKER. Mr. President, I ask unanimous consent that Senators may have until 6 p.m. this evening to insert statements in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

RECESS UNTIL TOMORROW AT 9 A.M.

Mr. BAKER. Mr. President, I move in accordance with the order previously entered, that the Senate stand in recess until 9 a.m. tomorrow.

The motion was agreed to; and, at 5:15 p.m., the Senate recessed until Thursday, October 29, 1981, at 9 a.m.